

\$~8

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **EX.P. 222/2015 & Ex. APPL (OS) 464/2016**

SHASHI JAIN

..... Decree Holder

Through Mr R.S. Bhandari, Advocate.

versus

TRIVENI ADHESIVES TAPES

..... Judgement Debtor

Through Counsel (presence not given).

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

%

31.01.2017

EX.P. 222/2015 & Ex. APPL (OS) 464/2016

The learned counsel for the Decree Holder has drawn the attention of this court to an order dated 21.04.2016 whereby the learned counsel for the Judgment Debtor had made a statement that the amount of Rs.10 lakhs would be paid to the Decree Holder on or before 31.05.2016. The said statement was taken on record and the matter was adjourned to 25.07.2016.

The learned counsel appearing for the Decree Holder points out that the said order has not been complied with as yet.

It is seen from the order dated 21.04.2016 that the statement made by the counsel was taken on record and the Judgement Debtor is bound by the same. A final opportunity is granted to the Judgment Debtor to comply with the order dated 21.04.2016 within a period of four weeks.

It is clarified that in the event the amount of Rs. 10,00,000/- is not

paid within a period of four weeks, the Decree Holder would be at liberty to initiate appropriate proceedings for wilful violation of the court order.

The learned counsel for the Judgment Debtor states that the JD has filed the affidavit in compliance with the order dated 21.04.2016, however, the same is not on record.

Learned counsel for the JD shall take steps to ensure that the same is placed on record before the next date of hearing

The present execution petition is filed for enforcement of the Arbitral Award dated 14.12.2009. It is seen that the amount involved is below the pecuniary jurisdiction of this Court and accordingly, the petition is required to be transferred to the District Court.

In view of this, let the matter be transferred to the Court of the Learned District & Sessions Judge, (Central District), Tis Hazari Courts, Delhi.

List on 22.03.2017 before the concerned Court.

Ex. Appl. (OS) No.464/2016 is disposed of

VIBHU BAKHRU, J

JANUARY 31, 2017

pkv