

\$~18 & 20

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

+ O.M.P. (COMM) 19/2017

M/S EXACT DEVELOPERS & PROMOTERS PVT LTD

..... Petitioner

Through : Mr.Bipin Kr.Dwivedi, Advocate.

versus

M/S S.P. CONTRACTS PVT LTD

..... Respondent

Through : Mr.M.S.Ahluwalia, Advocate.

+ O.M.P. (COMM) 189/2017

M/S EXACT DEVELOPERS & PROMOTERS PVT LTD

..... Petitioner

Through : Mr.Bipin Kr.Dwivedi, Advocate.

versus

M/S S.P. CONTRACTS PVT LTD

..... Respondent

Through : Mr.M.S.Ahluwalia, Advocate.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

%

06.02.2018

Both the petitions are under Section 34 of the Arbitration and Conciliation Act, 1996 challenging the award dated 05.11.2013. During the course of the hearing the parties have entered into an agreement. The learned counsel for the petitioner herein submits that the petitioner have to pay an amount of ₹ 1.75 crores in both the cases to the respondent and last of such payment was made on 26.03.2017. The post dated cheques and pay orders are already

handed over by the counsel for the petitioner to the respondent. It is submitted that the post dated cheques shall be encashed positively and the party shall abide by the terms and conditions of the agreement entered into between them before the mediation centre. In view of the submissions so made there is nothing left in both the petitions and accordingly both the petitions are dismissed. In case the default arisen in encashing the cheques the respondent has a liberty to file an execution against the petitioner.

YOGESH KHANNA, J

FEBRUARY 06, 2018

DV