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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CS(OS) 977/2008

M/S MOHATA BROS.

..... Plaintiff

Through : Mr.Bhavesh Kr Sharma, Advocate.

versus

DELHI DEVELOPMENT AUTHORITY & ORS

..... Defendants

Through : Ms.Geeta Mehrotra, Advocate.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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10.05.2018

IA Nos.13178-13179/2017

IA No.13179/2017 has been moved by the applicant/defendants for condonation of delay of 309 days in moving IA No.13178/2017 for recalling of the order dated 11.10.2016 vide which the objections of the applicants were dismissed and suit award was made rule of the Court.

For the reasons explained in the application, the delay stands condoned subject to costs of ₹ 5,000/- payable to the learned counsel for plaintiff.

Since none of the parties appeared on 11.10.2016 and for the reasons explained in IA No.13178/2017 the order dated 11.10.2016 is recalled and objections of the defendants stands restored.

Both the applications are disposed of.

CS(OS) 977/2008

In view of above order, the objections are to be heard. However, it is informed that the plaintiff has moved the execution petition for enforcing the impugned award and stated to be pending on 25.05.2018 before the Court of Ms.Neelofer Abida Perveen, learned Additional District Judge – 04, South-East District, Saket Courts, New Delhi.

Both the learned counsels concede that the amount being less than ₹ 1.00 Crore, the objections ought to be heard by the learned District Court and it be sent to the aforesaid Court.

In view of above, list on 25.05.2018 before the aforesaid learned Court for further directions. Registry to send the complete record forthwith.

YOGESH KHANNA, J

MAY 10, 2018

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