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

+ **OMP (ENF.) (COMM.) 67/2017**

WORLD PHONE INDIA PVT. LTD. Decree Holder
Through: Ms. Soni Singh and Mr. Shamik Saha,
Advocates.

versus

MAHANAGAR TELEPHONE NIGAM LTD. Judgment Debtor
Through: Mr. S.K. Singh, Advocate.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **25.04.2018**

This execution petition has been filed by the Decree Holder seeking enforcement of the Arbitral Award dated 25th July, 2008 as modified by the order dated 10th February, 2017 passed by this Court in OMP (COMM.) 575/2016 ***World Phone India Pvt. Ltd. vs. Mahanagar Telephone Nigam Limited.***

The abovementioned order dated 10th February, 2017 has been challenged by the Judgment Debtor by way of appeals being FAO(OS) No.166/2017 and FAO(OS) (COMM) 119/2017. By an order dated 26th May, 2017, the Judgment Debtor sought leave to deposit the awarded amount as per Award dated 25th July, 2008.

There is some controversy on whether the Judgment Debtor has deposited the full amount as directed by the Division Bench of this Court.

Be that as it may, as the appeals are pending adjudication and certain amounts have been deposited by the Judgment Debtor in the Appellate

proceedings, the present petition is not maintainable at this stage. The petitioner shall be at liberty to file a fresh petition subject to the outcome of the appeals filed by the Judgment Debtor.

NAVIN CHAWLA, J.

APRIL 25, 2018

Rekha