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

+ **ARB. A. (COMM.) 4/2019**

SONA CORPORATION INDIA PVT. LTD. Petitioner

Through: Ms. Maneesha Dhir and Mr. Karan
Batura, Advocates

versus

INGRAM MICRO INDIA PVT. LTD. & ANR. Respondents

Through: Mr. Sudhir Kumar, Advocate

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

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17.02.2020

Review Pet. 73/2020

The present petition has been made seeking a review of the order passed by this court on 20.01.2020. It is submitted by Ms. Dhir that during the course of the hearing of the appeal before this court on 05.12.2019, an offer was made by the applicant to the respondent to accept an alternate security by way of a property owned by one of the Directors of the applicant which was unencumbered / lien free and located within the local jurisdiction of Delhi, having an approximate valuation of Rs.15,75,00,000/- . It is submitted that title documents were also brought to the Court, but this portion of the argument is not reflected in the judgment.

Issue notice to the respondent.

Mr. Sudhir Kumar, Advocate, accepts notice on behalf of the

respondent and submits that while this offer was indeed made in the court but the respondent was permitted to take instructions from his client and on instructions, he had declined to accept the offer. The respondent was not willing to accept the property of one of the Directors as security to secure the amount during the arbitration, and thus it was not reflected in the judgment.

Learned counsel for respondent vehemently contends that from the time order was passed, there has been a delay of one year and the applicant is evading compliance of the order.

Ms. Dhir submits that she may be given liberty to approach the learned Arbitrator to make this request before the Arbitrator.

Learned counsel for the respondent has handed over a copy of the order passed by the Arbitrator on 12.02.2020 whereby the Arbitrator has directed the appellant herein to comply with the order passed, within a period of one week.

The applicant is permitted to move an application before the Arbitrator offering the above mentioned property as a security in lieu of the security directed by the Tribunal. Needless to say, application will be filed within a period of one week from today. The Arbitrator will consider the application as per law within a period of one week thereof.

It is made clear that this court has expressed no opinion on the merit of the application. Arbitrator is at liberty to decide the application on its own merits and take a decision as he deems fit.

It is made clear that the judgment passed by this court has not been modified or varied to any extent.

Review Petition is disposed of in the above terms.

JYOTI SINGH, J

FEBRUARY 17, 2020

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