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

+ O.M.P. (COMM) 429/2022 & I.As. 16930/2022, 16932/2022, 19387/2023.

PAWAN AGRAWAL

..... Petitioner

Through: Mr. Sanjeev Yadav, Mr. Himanshu Dutt, Ms. Sakshi Rai, Advocates.

versus

MS KIRAN SHOES MANUFACTURERS

..... Respondent

Through: Ms. Niyati Pathak, Advocate.

+ OMP (ENF.) (COMM.) 17/2023 & EX.APPL.(OS) 1307/2023.

KIRAN SHOES MANUFACTURERS

..... Decree Holder

Through: Ms. Niyati Pathak, Advocate.

versus

PAWAN AGARWAL

..... Judgement Debtor

Through: Mr. Sanjeev Yadav, Mr. Himanshu Dutt, Ms. Sakshi Rai, Advocates.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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13.02.2024

1. O.M.P. (COMM) 429/2022 has been filed by Pawan Agrawal for setting aside of an award dated 01.06.2022, by which a learned sole arbitrator has awarded certain claims in favour of the respondent – Kiran Shoes Manufacturers.

2. OMP (ENF.) (COMM.) 17/2023 is a petition by Kiran Shoes Manufacturers for enforcement of the same award.

3. In both proceedings, Pawan Agarwal has filed applications (I.A.



19387/2023 in O.M.P. (COMM) 429/2022 and EX.APPL.(OS) 1307/2023 in OMP (ENF.) (COMM.) 17/2023) for disposal of the proceedings, in terms of the settlement agreement dated 14.07.2023 entered into between the parties.

4. A copy of the settlement agreement, which settles the disputes between the parties, has also been placed on record. The settlement agreement is signed by Mr. Pawan Agarwal, and by the representative of Kiran Shoes Manufacturers.

5. Ms. Niyati Pathak, learned counsel, appearing on behalf of Mr. Jahangir Ahmad, learned counsel for Kiran Shoes Manufacturers, states upon instructions that the proceedings may be disposed of in terms of the said agreement. However, she seeks liberty to revive the enforcement proceedings if the terms of the agreement are not fully implemented.

6. In view of the above submissions, both these proceedings, alongwith pending applications, are disposed of, binding the parties to the terms of the settlement agreement dated 14.07.2023.

7. The decree-holder - Kiran Shoes Manufacturers will be at liberty to revive the proceedings, if the necessity arises.

PRATEEK JALAN, J

FEBRUARY 13, 2024

“Bhupi”/