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

+ O.M.P. (COMM) 144/2021 & I.A. 5214/2021

AMAN HOSPITALITY PVT. LTD.Petitioner

Through: Mr. P.K. Agrawal, Mr. Rishabh
Tomar and Mr. Akshay Chitkara,
Advocates.

versus

N.S. INTERIOR CONTRACTS PVT. LTD.Respondent

Through: Mr. Kartik Nagarkatti, Advocate.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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13.08.2024

1. The petitioner filed this petition challenging an arbitral award dated 12.06.2019, by which disputes under a contract awarded by a Letter of Award dated 28.01.2011 were adjudicated between the parties. The matter was referred to mediation by order of this Court dated 02.04.2024, and has resulted in a Conciliated Agreement dated 12.08.2024 ["the Agreement"]. A copy of the Agreement has been placed on record. It is signed by the representatives of both the parties, their counsel and by the learned Conciliator. Copies of the Board Resolutions, authorising the representatives of the parties, have also been annexed to the Agreement.
2. The parties have agreed that the disputes between them will stand settled upon release of the sums deposited by the petitioner before this Court and the District Court, Saket to the respondent, and payment of an

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additional sum of Rs.30,00,000/- by the petitioner to the respondent. The sum of Rs.30,00,000/- has already been paid.

3. As far as the sums deposited in Court are concerned, learned counsel for the parties state that the petitioner had first challenged the impugned award by way of OMP (COMM.) 13/2019 in the Court of learned Additional District Judge-02, South District, Saket Courts, Delhi. The learned District Court had granted stay of the execution by an order dated 30.09.2019, subject to deposit of 25% of the decretal amount. The said amount was deposited by the petitioner by way of a fixed deposit receipt bearing No. 843666 dated 23.10.2019 of Vijaya Bank, Vigyan Vihar, Delhi branch. The amount remains deposited in the District Court.

4. The matter was subsequently dismissed as withdrawn by the District Court for want of pecuniary jurisdiction, with liberty to file before this Court. This petition has been filed pursuant to such liberty. An order dated 29.04.2021 was passed by this Court, directing deposit of the remaining amount of the award, less the amount deposited before the District Court. The petitioner has deposited a further sum of Rs. 1,05,34,982/- by way of a demand draft bearing No. 155810 dated 31.07.2021 in favour of the learned Registrar General.

5. Learned counsel for the parties seek disposal of the present petition in terms of the Conciliated Agreement. It is stated by learned counsel for the respondent that upon release of the amounts deposited by the petitioner in this Court and in the District Court, Saket, alongwith interest accrued thereupon, the impugned award shall stand satisfied, as the further amount of Rs.30,00,000/- has already been paid.

6. In view of the aforesaid statement, learned counsel for the



petitioner does not wish to press the challenge any further.

7. Having regard to these submissions, the petition is disposed of with the direction that the amounts deposited by the petitioner in the District Court, Saket, pursuant to order dated 30.09.2019 of the learned Additional District Judge-02, South District, Saket Courts, Delhi in OMP (COMM.) 13/2019, and the amount deposited in this Court pursuant to order dated 29.04.2021 in this petition, will both be released to the respondent herein, alongwith interest accrued upon the said deposits.

8. The petition, along with pending application, stands disposed of.

PRATEEK JALAN, J

AUGUST 13, 2024

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