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

+ O.M.P.(I) (COMM.) 49/2024 & I.A. 3252/2024
VINOD SETH (DECEASED) THROUGH HIS LEGAL HEIRS
KUNAL SETH AND ANR.Petitioners
Through: Petitioner No. 1 in person.

versus

SUDERDHAN KUMAR BHAYANA (DECEASED) THROUGH
HIS LEGAL HEIRS BHUPESH BHAYANA AND ANR.
.....Respondents
Through:

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

% **ORDER**
26.09.2024

1. This is a petition filed under Section 9 of the Arbitration and Conciliation Act, 1996 seeking interim orders against the respondents from alienating, disposing of, dealing with or creating any third party rights in respect of the property bearing No. 73, Block PP, Pitampura, Delhi-110034 and basement in the property No. F1U-40, Pitampura, Delhi-11 0034.
2. The petition is based on an Arbitral Award dated 21.10.2013 wherein the petitioner was awarded approximately a sum of Rs. 82 lakhs and the respondent awarded a sum of Rs. 72 lakhs.
3. The awarded amount in favour of the respondent was reduced by the Single Judge in O.M.P. 1125/2014 *vide* order dated 15.04.2019 and thereafter was set aside by the Division Bench *vide* order dated 27.09.2023 passed in FAO (OS) 132/2019.



4. Hence, as of today, the awarded amount of Rs. 82 lakhs along with interest is due and payable to the petitioner by the respondents and no amount has been paid.

5. It is stated that the petitioner has already filed an execution petition seeking execution of the Award dated 21.10.2013 as modified by the Division Bench on 27.09.2013 and both the abovementioned properties have been attached.

6. Since the attachment order is operation, the present petition has become infructuous and is disposed of granting liberty to the petitioner to revive the same in case the attachment order is set aside, varied or modified.

JASMEET SINGH, J

SEPTEMBER 26, 2024

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