



\$~36

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

+ **OMP (ENF.) (COMM.) 114/2023**

DR NEERAJ BINDAL

..... Decree Holder

Through: Mr Rohit Gandhi, Mr Adhish
Srivastava, Mr Sanjay Gaur, Mr
Hargun Singh, Ms Akshita Nigam
and Ms Chintu Jain, Advs.

versus

AMBIENCE PROJECTS AND

INFRASTRUCTURE PRIVATE LTD

..... Judgement Debtor

Through: Mr. VA Rajan, Ms. Tanisha Dhoot,
Advs.

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

27.02.2024

%

1. This is a petition seeking enforcement of the Award dated 27.09.2022 passed by the Sole Arbitrator.
2. As per the Arbitrator, the claims awarded in favour of the decree holder were as under:-

- “(i) An Award is passed in favour of the Claimant for a sum of Rs.80,45,044/- with interest @ 12% per annum from the date of filing of the Statement of Claim till realization of the above amount.*
- (ii) Respondent is directed to foreclose the loan amount/account with the HDFC Bank within 6 weeks of passing of this Award.*
- (iii) Claimant is awarded cost of litigation.”*



3. As far as award Nos. 1 and 2 are concerned, the same have been cleared. The only question remaining is with regard to costs of litigation.
4. The decree-holder has claimed an amount of about Rs. 14.18 lakhs towards costs of litigation.
5. After some arguments, the parties have mutually settled the amount and Mr Rajan, learned counsel for the judgment-debtor on instructions states that the judgment-debtor shall pay to the decree-holder a sum of Rs. 6 lakhs in full and final settlement of claim No. 3 i.e. costs of litigation. The same is acceptable to Mr Gandhi, learned counsel for the decree-holder on instructions. The said amount shall be paid within a period of two weeks from today.
6. Since the execution petition is satisfied on payment of the said amount of Rs. 6 lakhs, the present petition is closed and the order of attachment also stands vacated. In case the payment is not made within a period of two weeks from today, the decree-holder is at liberty to revive the petition for the entire amount.

JASMEET SINGH, J

FEBRUARY 27, 2024

MS/sr

Click here to check corrigendum, if any