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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **OMP (ENF.) (COMM.) 176/2023, EX.APPL.(OS) 1153/2023,**
EX.APPL.(OS) 1154/2023

AFCONS SENER LNG CONSTRUCTION PROJECTS PRIVATE
LIMITED Decree Holder

Through: Mr. Sulabh Rewari, Ms. Mansvini
Jain, Advs.

versus

WESTERN CONCESSIONS PRIVATE LIMITED

..... Judgement Debtor

Through: Mr. Sanjeev Puri, Sr. Adv. with Mr.
R. Sudhindu, Mr. D. Vyas, Ms.
Radhika Misra, Ms. Pragya Puri,
Advs.

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

ORDER
05.01.2024

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1. This is a petition seeking enforcement of the award dated 15.04.2023 made by the Arbitral Tribunal.
2. As per the award, the decree-holder was awarded ₹ 43,44,16,820.16/- along with post award interest.
3. Mr. Puri, learned senior counsel appearing for judgment-debtor has drawn my attention to an order passed in O.M.P.(COMM) 230/2023 dated 14.09.2023, wherein the operation of the award has been stayed on the judgment-debtor depositing the entire awarded amount. Admittedly, the



judgment-debtor has deposited 43 crores with the Registrar General, Delhi High Court.

4. Mr. Rewari, learned counsel for the decree-holder states that the entire amount has not been deposited.

5. Mr. Puri further states that the balance sum shall be deposited on or before 15.01.2024.

6. As far as this Court in execution is concerned, once the award has been stayed subject to deposit of the decretal amount and the amount has been deposited and some portion is being deposited by 15.01.2024, the execution petition will not lie at this stage.

7. In case there are any disputes with regard to the amounts deposited/to be deposited by the judgment-debtor, the same shall be the subject matter of O.M.P.(COMM) 230/2023.

8. In case there are any amounts found due and payable to the decree-holder after conclusion of the proceedings in O.M.P.(COMM) 230/2023, the decree-holder is at liberty to file a fresh execution petition or revive the present execution petition particularly for post award interest.

9. With these directions, the execution petition is disposed of.

10. The order dated 14.09.2023 is taken on record.

JASMEET SINGH, J

JANUARY 5, 2024/dm

Click here to check corrigendum, if any