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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 3134/2024 & CM APPL. 45315/2024**
M/S CORNER STORE TECHNOLOGIES PVT LTD

.....Petitioner

Through: Mr. Anurag Ojha and Mr. Mrinal
Singh, Advocates.

versus

M/S AR KAY MEDICOS PVT LTD

.....Respondent

Through: None.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% **08.08.2024**

CM APPL. 45316-45318/2024 (Exemption)

Exemption allowed, subject to all just exceptions.

CM(M) 3134/2024

1. Respondent is already having an award in his favour and the petitioner herein, feeling aggrieved by the same has already filed a petition under Section 34 of the Arbitration and Conciliation Act, 1966. Its such petition i.e. OMP (Comm) 33/2024 titled as M/s Corner Store Technologies Pvt Ltd. is pending adjudication before the Court of Sh. Lal Singh, learned District Judge (Commercial) South-East, Saket.
2. Since there was no stay in the matter, the Executing Court has gone ahead with the execution and directed issuance of warrant of attachment.
3. The grievance here is with respect to such issuance of warrant.
4. During course of the arguments, learned counsel for the petitioner/JD

CM(M) 3134/2024

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has stated that he has already moved an application, before the above said learned Court where his petition under Section 34 of the Arbitration and Conciliation Act, 1966 is pending, seeking stay of the execution but his application has not so far been taken up by this Court.

5. It is stated that such application was filed along with the petition filed under Section 34 of the Arbitration and Conciliation Act, 1966.

6. The present petition is hereby disposed of with the liberty to petitioner/JD to move appropriate application within three days before the above said Court for seeking requisite relief in the matter. It is expected that since coercive action has already been issued in connection with the execution petition, the learned District Judge (Commercial) would take up the matter and pass appropriate order in accordance with law.

7. It is clarified that this Court has not expressed any opinion about the merit of the case.

8. The copy of the order be given *dasti* under the signature of the Court Master.

MANOJ JAIN, J

AUGUST 8, 2024/ss