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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **OMP (ENF.) (COMM.) 48/2024 & EX.APPL.(OS) 315/2024**
RAGHUNATH BUILDERS PVT LTD Decree Holder
Through: Mr Ujjal Banerjee and Mr Akash
Khurana, Advs.

versus

ANANT RAJ LTD Judgement Debtor
Through: Mr Rakesh Lakra, Ms Shivani Kher
and Mr Bhavya Sharma, Advs.

CORAM:
HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

27.02.2024

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1. This is a petition seeking enforcement of the Arbitral Award dated 09.09.2017 passed in Arbitration Petition No. 29/2015 titled '*Anant Raj Ltd. v. Raghunath Builders Pvt. Ltd.*'.
2. As per the Award, the decree-holder was directed to refund a sum of Rs. 1,50,00,000/- (Rupees One Crore Fifty lakhs only) to the judgment-debtor and the judgment-debtor was to remove its employees, security personnel, representatives and others from the project land within a period of four weeks from the date of the Award.
3. The judgment-debtor challenged the Award by filing a 34 petition being O.M.P. (COMM) 368/2017 which was allowed by a Coordinate Bench of this Court.
4. The decree-holder challenged the same by filing an appeal under



Section 37 of the Arbitration & Conciliation Act being FAO(OS)(COMM) 220/2017 which was allowed vide order dated 08.11.2023 and the Award was upheld.

5. The SLP preferred by the judgment-debtor against the order dated 08.11.2023 was also dismissed. For the said reasons, the Award has attained finality.

6. Mr Banerjee, learned counsel for the decree-holder has handed over a cheque No. 000484 dated 27.02.2024 drawn on Bank of Baroda in the sum of Rs. 1,50,00,000/- (Rupees One Crore Fifty lakhs only) in favour of the judgment-debtor. The cheque on presentation will be honoured.

7. Mr Lakra, learned counsel for the judgment-debtor states that the judgment-debtor shall remove all its employees, security personnel, representatives and others from the project land i.e. 'Jaipuria Mills' situated at 6926, Clock Tower, Subzi Mandi, Delhi within a period of four weeks from today.

8. Taking the statement of Mr Lakra, learned counsel for the judgment-debtor on record and binding the judgment-debtor to the same, the petition is disposed of.

9. In case the order passed today is not complied with by the judgment-debtor, the decree-holder shall be entitled not only to revive the proceedings but also initiate contempt action.

JASMEET SINGH, J

FEBRUARY 27, 2024

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Click here to check corrigendum, if any