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

+ **FAO(OS) (COMM) 228/2024 & CM APPL. 59619/2024-Stay, CM APPL. 59620/2024-Ex, CM APPL. 59621/2024-Ex from filing lengthy synopsis and list of dates., CM APPL. 59622/2024-Ex from filing all the documents annexed along with OMP (I) (Comm) 273/24.**
ANOOP SHARMAAppellant

Through: Dr. (Maj.) J.C. Vashista, Advocate.
versus

PUKHRAJ SINGH CHUG & ORS.Respondents

Through: Mr. Abhinav Vashisth, Sr. Adv. with
Mr. Rajiv Mehra, Advocate along
with the respondent in person.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

08.10.2024

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1. The present appeal under Section 37 of the Arbitration and Conciliation, 1996 seeks to assail the order dated 23.08.2024 passed by the learned Single Judge in OMP(I)(COMM) 273/2024. Vide the impugned order, the learned Single Judge has rejected the petitioner's prayer under Section 9 of the Arbitration and Conciliation Act, 1996 wherein, the petitioner had inter alia sought direction against the respondent no.1 to 43 to jointly or severally release a sum of Rs.25 lakhs per month to the petitioner.

2. The brief factual matrix as emerging from the record shows that the dispute between the parties emanate from the Shareholders' Agreement dated 01.04.2000 to which the petitioner and his wife along with respondent nos.1 to 6 were parties. The said Shareholders' Agreement pertains to companies, which were at the time of entering into the said agreement under



the control of respondent nos.1 to 6.

3. At the outset, it is pointed out by both the sides that there are certain inadvertent typographical errors in the impugned order.

4. Learned Senior Counsel for the respondent nos.1 to 6 on instructions submits that in order to seek clarity with respect to certain typographical error in the impugned order, the said respondent nos.1 to 6 will move an application before the learned Single Judge under Section 152 of the Code of Civil Procedure, 1908. Learned counsel for the appellant has no objection to this request.

5. In the light of the aforesaid, the appeal along with the pending applications is disposed of by granting liberty to the respondents to get the typographical errors corrected in the impugned order by moving an appropriate application.

6. Once the said typographical errors in the impugned order are corrected, to which both parties agree, it will be open for the appellant to take appropriate action and file a fresh appeal in accordance with law.

7. We, however, make it clear that we have not expressed any opinion on the merits of the ground raised by the appellant at this stage and therefore, it will be open for the appellant to raise all grounds including the ones raised in the present appeal, in the fresh appeal which he may choose to file.

REKHA PALLI, J

SAURABH BANERJEE, J

OCTOBER 8, 2024/mk