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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CM(M) 3756/2024, CM APPL. 64337/2024, CM APPL. 64338/2024,
CM APPL. 64339/2024 & CM APPL. 64340/2024
UNION OF INDIAPetitioner

Through: Mr. Om Prakash, SPC with Mr.
Chandresh Pratap, Ms. Swati Mishra
and Mr. Nitish Pande, Advocates

versus

M/S GURDARSHAN SINGHRespondent
Through: None

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% **05.11.2024**

CM APPL. 64339/2024 (exemption)

Exemption allowed, subject to all just exceptions.

**CM(M) 3756/2024, CM APPL. 64337/2024, CM APPL. 64338/2024 &
CM APPL. 64340/2024**

1. Present petition has been filed by Union of India.
2. It is aggrieved by order dated 13.09.2024 whereby there is a direction to issue *warrants of attachment* in respect of bank account of judgment debtor (Union of India).
3. There is an Award dated 30.09.2022 for Rs. 42,58,166/- against the petitioner.
4. When asked, learned counsel for petitioner/Union of India also informed that the aforesaid Award has already been challenged by filing a petition under Section 34 of Arbitration and Conciliation Act, 1996 and which

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is now listed on 29th instant.

5. Learned counsel for petitioner states that in order to show its bonafide, it is even ready to deposit the entire decretal amount with the said Court where its petition under Section 34 of Arbitration and Conciliation Act, 1996 is pending adjudication.

6. It is contended that the learned Executing Court, which issued the warrants of attachment, is not competent to issue such warrants as it ought have been issued by a Commercial Court only.

7. However, since petitioner has expressed its inclination to deposit the decretal amount, without prejudice to its rights and contentions, the present petition is disposed of as not pressed and liberty is granted to the petitioner to move appropriate application before the concerned Court where its petition under Section 34 of Arbitration and Conciliation Act, 1996 is pending adjudication and in order to enable him to approach the aforesaid Court and to seek relief, if any, from said Court, the aforesaid direction regarding issuance of warrants of attachment shall remain in abeyance for a period of 10 days from today.

8. Petition stands disposed of in the aforesaid terms.

9. All the rights and contentions of the parties are reserved.

MANOJ JAIN, J

NOVEMBER 5, 2024/dr