



\$~14 to 17

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

+ O.M.P.(I) (COMM.) 135/2017 & I.A. 3722/2017.
ANIL KUMAR SAHA @ ANIEL KUUMAR SAHA Petitioner
Through:

versus

GETAMBER ANAND Respondent
Through:

+ O.M.P.(I) (COMM.) 136/2017 & I.As. 3724/2017, 6642/2024.
ANIL KUMAR SAHA @ ANIEL KUUMAR
SAHA Petitioner

versus

ASHWANI TALWAR Respondent

+ OMP (ENF.) (COMM.) 181/2018
ANIL KUMAR SAHA @ ANIEL KUUMAR
SAHA Decree Holder

versus

GETAMBER ANAND Judgement Debtor
Through:

+ OMP (ENF.) (COMM.) 182/2018 & EX.APPLs.(OS) 485-
487/2024.
ANIL KUMAR SAHA @ ANIEL KUUMAR
SAHA Decree Holder

versus

ASHWANI TALWAR Judgement Debtor

Appearances:

Mr. Ratan K. Singh, Sr. Advocate with Mr. Rajat Bhardwaj, Ms. Ankita
M. Bhardwaj, Mr. Rajeev Gurung, Ms. Kanishka Shirhare, Mr. Kaustubh



Khanna, Mr. Akshay Gandootra, Advocates for decree holder/petitioner.
Mr. Krish Kalra, Mr. Divyansh Rai, Advocates for R-1.
Mr. Deepak Kapoor, Ms. Mannat Singh, Mr. Kushagra Sharma,
Advocates for Judgment debtor in item Nos. 15 and 17.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

%

24.05.2024

O.M.P.(I) (COMM.) 135/2017 & O.M.P.(I) (COMM.) 136/2017

1. These petitions have been filed under Section 9 of the Arbitration and Conciliation Act, 1996 [“the Act”], by the award holder for interim measures of protection in anticipation of enforcement proceedings in respect of an arbitral award dated 04.03.2017 read with an order of the Arbitral Tribunal dated 31.07.2018.

2. The decree holder has since filed proceedings under Section 36 of the Act for enforcement of the same award being OMP (ENF.) (COMM.) 181/2018 & OMP (ENF.) (COMM.) 182/2018.

3. In view of the fact that the enforcement proceedings are now pending, these petitions are disposed of making the interim orders dated 24.03.2017 passed in these proceedings absolute, subject to further orders in the enforcement proceedings.

4. All pending applications also stand disposed of.

OMP (ENF.) (COMM.) 181/2018 & OMP (ENF.) (COMM.) 182/2018

1. The interim order dated 24.03.2017 passed in O.M.P.(I) (COMM.) 135/2017 & O.M.P.(I) (COMM.) 136/2017 will bind the parties in these enforcement proceedings. Mr. Krish Kalra, learned counsel for the judgment debtor, submits that the awards have been discharged by a settlement agreement dated 06.03.2020.



2. Mr. Ratan K. Singh, learned Senior Counsel for the decree holder, disputes this position.
3. It is not possible to hear these petitions finally in view of a Full Court reference at 03:00 PM today.
4. List on 06.09.2024.

PRATEEK JALAN, J

MAY 24, 2024
“Bhupi”/