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

+ OMP (ENF.) (COMM.) 127/2025 with EX.APPL.(OS) 902/2025

M/S KRISHNA CONSTRUCTION
COMPANY

.....Decree Holder

Through: Mr. Jai Sahai Endlaw, Mr. Ivan and
Mr. Vivek Mathur, Advocates.

versus

UNION OF INDIA

.....Judgement Debtor

Through: Ms. Iram Majid, CGSC with Mr.
Mohd. Suboor, Advocate.

+ O.M.P. (COMM) 97/2025 with I.A. 4912/2025, I.A. 4914/2025 and
I.A. 4915/2025

UNION OF INDIA

.....Petitioner

Through: Mr. Bhagwan Swarup Shukla, CGSC
with Mr. Ashutosh Pathak and Mr.
Yash Baraliya, Advocates.

versus

M/S. KRISHNA CONSTRUCTION
COMPANY

.....Respondent

Through: Mr. Jai Sahai Endlaw, Mr. Ivan and
Mr. Vivek Mathur, Advocates.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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08.12.2025

I.A. 4914/2025 (condonation of delay in filing Section 34 petition) and

I.A. 4915/2025 (condonation of delay in re-filing Section 34 petition) in



O.M.P. (COMM) 97/2025

1. These applications have been filed on behalf of the petitioner/Union of India, seeking condonation of delay in filing and re-filing the petition under Section 34 of the Arbitration and Conciliation Act, 1996 (hereinafter the 'Act').
2. The award which is the subject matter of the petition was pronounced on 7th April, 2024.
3. Subsequently, on 30th April, 2024, the Award was modified under Section 33 of the Act.
4. On 22nd July, 2024, the petitioner filed objections under Section 34 of the Act before the Commercial Court at Raipur, Chhattisgarh.
5. The aforesaid objections were filed within the prescribed statutory limitation period of three (3) months.
6. On 30th November, 2024, the Commercial Court at Raipur held that the said Court lacked jurisdiction and permitted the petitioner to withdraw the petition with liberty to file a fresh petition before the Court having competent jurisdiction.
7. Immediately thereupon, the present petition was filed before this Court on 6th December, 2024.
8. In light of the aforesaid facts and circumstances, this Court is of the view that the delay in filing as well as re-filing the present petition ought to be condoned.
- 8.1. It is ordered accordingly.
9. The applications are disposed of.

O.M.P. (COMM) 97/2025

10. Issue notice.



11. Notice is accepted by the counsel appearing on behalf of the respondent.

12. Ms. Iram Majid, CGSC appearing on behalf of the judgment debtor in OMP (ENF.) (COMM.) 127/2025 submits that the demand draft in respect of the awarded amount is ready and shall be deposited with this Court within one (1) week from today.

13. Subject to deposit of the aforesaid demand draft for the entire awarded amount along with up-to-date interest, there shall be a stay on the operation of the impugned Award.

14. List for hearing on 13th April, 2026.

OMP (ENF.) (COMM.) 127/2025

15. In view of the order passed above, the present petition is disposed of with liberty to the decree holder to revive the same after adjudication of the petition under Section 34 of the Act.

AMIT BANSAL, J

DECEMBER 8, 2025

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