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

+ **CS(OS) 636/2024**

M/S. ENGINEERING PROJECT (INDIA) LTD.

.....Plaintiff

Through: Mr. Manish Paliwal, Adv.

versus

M/S. KRISHNA CONSTRUCTION CO.

.....Defendant

Through:

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

22.09.2025

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1. This is a suit for pronouncement of judgment upon Arbitral Award dated 30.11.2016 under Section 17 of the Arbitration Act, 1940 dated 30.11.2016 and to make it a decree of Court.
2. The brief facts of the case are that disputes arose between the parties with respect to the Contract Agreement dated 09.01.1985 for the construction of food grain godowns at Miryalguda in Andhra Pradesh.
3. The Sole Arbitrator made and published the Award dated 30.11.2016.
4. Thereafter, the defendant, i.e. *M/s. Krishna Construction Co.*, filed CS (OS) 39/2017 seeking a copy of the Award. The said suit was disposed of on 15.03.2017, recording that the arbitral record as well as the Award had been received and notice was required to be sent to *M/s. Krishna Construction Co.* regarding the same.



5. Thereafter, the plaintiff filed an execution petition EX (COMM) No. 29/2023 which was disposed of by the District Judge, Commercial Courts of Saket *vide* order dated 19.04.2024 that held that since the Award was under the Arbitration Act, 1940, the plaintiff was required to file a suit under Section 17 of the Arbitration Act, 1940 for the pronouncement of judgement upon the Award to make it enforceable.
6. Consequently, the present suit has been filed.
7. As per the affidavit of service, the defendant has been served at the email ID kccpvtltd@gmail.com. Despite service, there is nobody appearing on behalf of the defendants, nor have any objections been filed under Sections 30 and 33 of the Arbitration Act, 1940.
8. I see no impediment in pronouncing the judgment according to the Award. Accordingly, the suit is allowed and the Award is made a decree of the Court.
9. The petition is disposed of accordingly.

JASMEET SINGH, J

SEPTEMBER 22, 2025/sp