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

+ **EFA(COMM) 18/2024 & CM APPL. 72795/2024**

UNION OF INDIA

.....APPELLANT

Through: Mr. Om Prakash, SPC with Mr. Nitish Pande, Ms. Swati Mishra, Mr. Amish Kumar, Mr. Manuj Gautam, Ms. Sanhita Pandey and Mr. Sarthak Udaipuria, Advs. for UOI.

versus

VINEY MOHINDROO

.....RESPONDENT

Through: Mr. Arvind Kr. Sharma, Sr. Adv. with Mr. Aniteja Sharma and Mr. Dashmesh Tripathy, Advs.

CORAM:

HON'BLE MR. JUSTICE NITIN WASUDEO SAMBRE

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

05.08.2025

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1. Proceedings were instituted under Section 34 and 37 of the Arbitration and Conciliation Act, by the Appellant and the same were dismissed.
2. In the Execution proceedings, the amount was already withdrawn by decree holder and an objection was raised about jurisdiction by the Appellant.
3. The said issue was open to be contested by the Appellant at the stage of Sections 34 and 37 proceedings.
4. If we consider the claim of the petitioner in the backdrop of provisions of Order II Rule 2 of Code of Civil Procedure, 1908 ('CPC'), in our opinion it is not open for the appellant to question the same at this stage of the proceedings.



5. That being so, in our opinion, no case for causing interference is made out. Present appeal stands dismissed.
6. Pending applications, if any, are rendered infructuous.
7. Order be uploaded on the website of this Court.

NITIN WASUDEO SAMBRE, J

ANISH DAYAL, J

AUGUST 5, 2025/MK/sp