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

+ **FAO 274/2014**

NORTH DELHI MUNICIPAL CORP.Appellant

Through: Mr. Sunil Goel, SC for MCD with
Mr. Dimple Aggarwal, Mr. Himanshu
Goel and Ms. Varsha, Advocates

versus

SATNAM SINGHRespondent

Through: Mr. Abhishek Dev, Mr. Niranjana
Kaur and Mr. Rishabh Sharma,
Advocates

**CORAM:
HON'BLE MR. JUSTICE TUSHAR RAO GEDELA**

**ORDER
19.11.2025**

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1. This is an appeal under Section 37(1)(c) of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as '1996 Act') challenging the order dated 27.05.2014 passed by the learned ADJ, dismissing the objections filed by the appellant under Section 34 of the 1996 Act against the arbitral award dated 20.02.2007.
2. Learned counsel appearing for the appellant submits that though the exercise of jurisdiction under Section 37(1)(c) of the 1996 Act is highly circumscribed, in the present case, such exercise of jurisdiction would be warranted. He submits that the matter was placed before the learned ADJ after remand from this Court *vide* order dated 17.02.2011 in FAO No.



368/2008. He submits that the learned ADJ, on remand, has disposed of the ARBTN 15/14/07, vide the impugned order, on facts which are alien to the present case. He submits that a perusal of the impugned judgment indicates that the learned ADJ has taken into account facts relating to a different case. He submits that in such circumstances, it cannot be ascertained as to on what basis, the learned ADJ had dismissed the objections.

3. *Per contra*, learned counsel appearing for the respondent-claimant submits that the learned ADJ has correctly rejected the objections. However, he does not dispute the fact that so far as the factual matrix narrated in the impugned order is concerned, they do not pertain to the present case.

4. Learned counsel appearing on behalf of the appellant, however, disputes the fact that the issues have been correctly decided, since according to him, the order which had remanded the matter for reconsideration, had pointed out two aspects, which were not taken into account properly by the learned ADJ.

5. This is vehemently disputed by the learned counsel for the respondent.

6. Keeping in view the fact that the facts noted in the present impugned order admittedly do not pertain to the facts, which have actually arisen between the parties before this Court, it would be difficult to sustain the impugned judgment, atleast, on that account.

7. In that view of the matter, since this Court is convinced that the learned ADJ has failed to take into account the correct facts arising in the present appeal, it would be appropriate to set aside the impugned order dated 27.05.2014 and remand the matter back for a fresh consideration.



8. Keeping in view also the fact of the antiquity of the dispute, i.e. the award having been rendered on 20.02.2007, it would be apposite to direct the learned ADJ to hear and dispose of the objections in the ARBTN 15/14/07 within three months from the date of receipt of the order.
9. The parties are also requested to cooperate in the early disposal.
10. The learned ADJ shall ensure that no unnecessary adjournments are taken by any of the parties and if possible, hear and dispose of the appeal within three months as directed above.
11. With the aforesaid observations, the appeal stands disposed of.

TUSHAR RAO GEDELA, J

NOVEMBER 19, 2025

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