



A.No.2514 of 2025
in
Arb.E.P DR.No.49298 of 2025

WEB COPY

MASTER

03.06.2026

ORDER

1. This is an application filed by the applicant/decreed holder under Order 21, Rule 41 (1) & (2) of C.P.C seeking direction to the respondent to forthwith file affidavit detailing the particulars of assets held by the respondent including movable and immovable failing which appropriate coercive steps to be ordered against the respondent/Judgment debtor for non-compliance of the order.

2. Notice was duly ordered to the respondent who entered his appearance and filed his counter contending that they are ready to comply with the arbitral award with the approval of their competent authority.

3. Heard both side counsels and perused the materials on record. During the course of arguments the learned counsel for the respondent filed a letter before the Registry contending that they have duly complied with the arbitral award. The learned counsel for the decree holder objected to the same and submitted that the respondent has not fully satisfied with the arbitral award and except merely filing the letter, the respondent has not produced any acceptable evidence to substantiate the alleged payment of decretal award amount such as proof of remittance acknowledgement from the decree holder or any other documentary evidence to prove the satisfaction of the award.

4. A mere statement or internal communication of the respondent unsupported by



proof cannot be accepted as evidence of discharge of decretal liability. The burden is upon the Judgment debtor to establish that they have satisfied the arbitral award in the absence of satisfactory proof of payment of the award amount to the applicant, this court is unable to accept the plea of compliance, the arbitral award remains unsatisfied. Therefore, the objection raised by the respondent/Judgment debtor in this application is rejected.

5. In fine, this application is allowed. The respondent/Judgment debtor is directed to file affidavit of assets detailing movable and immovable held by the respondent within 3 weeks failing which appropriate steps under Order 21, Rule 41 (3) of C.P.C shall follow.

MASTER