

07.10.2022

Fresh petition u/s 34 Arbitration and Conciliation Act through e-filing, it be checked & registered.

Present: Sh. Sanjeev Kumar Chaudhary, Ld. Counsel for the petitioner.

Hard Copy filed.

The present petition has been filed challenging the Arbitration Award dated 02.12.2013 passed in Arbitration No. 209/13 titled as M/s Shriram Transport Finance Company Ltd vs. Ravinder Singh and Anr.

Issue notice of the petition to the respondents on filing of PF/RC.

The Respondent no. 2/Sole Arbitrator is directed to submit the complete Arbitral Record before the Court.

Ld. Counsel for the petitioner has pressed for his application under Section 36 of the Arbitration Act.

The main thrust of the Ld. Counsel for the petitioner is that although the award has been passed against the petitioner (respondent no. 2 before the Ld. Arbitrator) however the petitioner was neither the borrower nor the guarantor in respect of the loan agreement bearing no. DELHIO202270009 dated 28.02.2012 and the petitioner has come to know about the passing of the award only after being served with the notice of the execution petition in the month of June, 2022 and thereafter the petitioner applied for the certified copy of the impugned award which he obtained only on 30.08.2022 and as such the present petition was filed within the prescribed period.

It is further submitted that the Impugned Award is passed on 02.12.2013 however the execution has been filed only in 2019 and as such it

is prayed that the operation of the impugned award be stayed.

Heard.

In view of the submissions made, the execution proceedings arising out of Impugned Award passed in Arbitration No. 209/13 titled as M/s Shriram Transport Finance Company Ltd vs. Ravinder Singh and anr. is stayed till the NDOH.

List for **10.01.2023**.

Order be given *Dasti*, as prayed for.

(Ajay Gulati - II)
ADJ- 01 (Central),
THC, Delhi, 07.10.2022