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Execution (Comm.)/45/2023

DLNW010115172022

KOTAK MAHINDRA PRIME LTD.

Vs.

PRAMOD GOEL

14.07.2023

Present: None for DH

File perused.

As per report, notices issued to JD at his residential addresses and the company address received back with report 'No such person' and 'No such firm, vacated three years ago'.

Present execution petition has been filed on the basis of the Award passed by the Sole Arbitrator appointed by the DH.

In view of the judgement of Hon'ble High Court in Kotak Mahindra Bank Limited Vs. Narendra Kumar Prajapat dated 17.05.2023, in case, the Arbitrator is appointed unilaterally, the Arbitration Award is without jurisdiction and not enforceable and hence, the execution cannot apply.

Let DH to satisfy the Court on this aspect for 13.10.2023.

(GURDEEP SINGH)

District Judge (Commercial Court)-01

North West District, Rohini Courts

Delhi: 14.07.2023