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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 93/2023 & CM APPL. 3057/2023**

HDFC BANK LTD

.....Petitioner

Through: Mr. Kuldeep Yadav, Advocate.

versus

AZAD KALAM

.....Respondent

Through: Ms. Padmapriya, Amicus Curiae
(through videoconferencing)

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

% **31.10.2025**

1. Adjournment requested by learned proxy counsel for petitioner on the ground that learned arguing counsel is not available today.
2. Learned Amicus Curiae does not oppose the adjournment request but has advanced her submissions on merits at request. It appears that an award passed by unilaterally appointed Arbitrator was taken through execution where for the first time, without filing objections under Section 34 of the Arbitration and Conciliation Act, the present respondent took a ground that an award passed by unilaterally appointed arbitrator is nullity, so cannot be executed. Accepting the contention, learned execution court dismissed the execution petition. Hence, the present petition. Learned Amicus Curiae submits that a Division Bench of this court took a clear view that unilateral appointment of arbitrator is bad in law and that view stands affirmed by the Supreme Court.
3. In view of adjournment request of petitioner side, relist on 25.03.2026 in Advance List.

GIRISH KATHPALIA, J

OCTOBER 31, 2025/ry