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

+ **FAO 144/2019 & CM APPL. 15081/2019**

DHARAMBIR & ANR

..... Appellants

Through: Mr. Shaad Anwar, Advocate.

versus

RAM TRANSPORT FINANCE CO LTD

..... Respondent

Through: Appearance not given.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **14.05.2019**

1. Issue notice. Learned counsel for the respondent accepts notice.
2. Learned counsel for the appellants states that he was not served with the notice appointing the arbitrator or with the arbitral award dated 02.12.2013. Learned counsel submits that the finding in the impugned judgment that the appellant had refused service of the notice is erroneous.
3. The Trial Court record be summoned. It is made clear that if upon perusal of the Trial Court Record, it is found that the appellants had been duly served or had refused service, then the appeal will be dismissed with exemplary costs.
4. It is stated that the execution proceedings have been pending before the learned District Judge, Rohtak. Upon the appellant depositing 50% of the awarded amount or furnishing security for the like amount to the satisfaction of the executing court, the execution of the impugned award shall remain

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stayed until the next date of hearing.

5. List on 30.09.2019.

MAY 14, 2019

j/s

PRATEEK JALAN, J

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