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

+ EX.P. 342/2008 & EX.APPLs.(OS) 89-90/2013.

BHARAT HEAVY ELECTRICALS Decree Holder

Through: Appearance not given.

versus

MIDEAST INTEGRATED STEELS Judgement Debtor

Through: Ms. Kavita Sharma, Mr. Rohit
Dadwal, Advocates.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

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08.04.2024

1. An adjournment is sought on behalf of learned counsel for the judgment debtor on the ground that he is indisposed.
2. Learned counsel for the decree holder submits that proceedings under Section 37 of the Arbitration and Conciliation Act, 1996, are pending before the Allahabad High Court in which the Allahabad High Court had passed orders dated 24.10.2023 and 11.11.2023 granting stay of execution of the award. Copies of the orders of the Allahabad High Court are handed over to suggest that the stay was granted in view of the fact that the principal amount of the award had been paid or secured by bank guarantee.
3. Learned counsel for the decree holder points out that the bank guarantee in question expired in the year 2016 and submitted that the order of stay therefore does not survive.



4. Learned counsel for the judgment debtor states that the judgment debtor has already moved the Allahabad High Court for permission to replace the bank guarantee and the said application is pending. Learned counsel for the decree holder submits that the decree holder will also move the Allahabad High Court for appropriate clarification as to the status of the stay order. The parties may file additional affidavits within eight weeks from today in this regard.

5. List on 27.08.2024.

PRATEEK JALAN, J

APRIL 8, 2024
'Bhupi'