



2026:DHC:8335



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

CNR No. DLHC010088192026

+ **OMP (ENF.) (COMM.) 46/2026 & EX.APPL.(OS) 311/2026**

M S SHYAM SUNDER TYAGIDecree Holder

Through: **Mr. Samarth Chowdhary,**
Advocate.

versus

**PUBLIC WORKS DEPARTMENT GOVERNMENT OF NCT
OF DELHI**Judgement Debtor

Through: **Mr. Pramod Kumar,** Panel
Counsel.

CORAM:

HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

ORDER (ORAL)

% **25.09.2026**

1. It is apparent from the record that the arbitral award sought to be enforced in the instant petition is dated 15.01.2025. However, the stamp duty has been deposited on 28.05.2025, which is beyond one month from the date of the execution of the arbitral award.

2. This is not in consonance with the scheme envisaged by the Indian Stamp Act, 1899¹, as applicable in NCT of Delhi.

3. Learned Counsel for the Judgment Debtor submits that the appeal, being FAO(OS) (COMM) 255/2026, has been preferred against the judgment dated 20.07.2026 passed in O.M.P. (COMM) 428/2025 and that, *vide* order dated 22.06.2026, stay has been granted

¹ "Act", hereinafter



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in respect of the present enforcement proceedings.

4. At this stage, learned Counsel for the Decree Holder seeks leave to withdraw the present petition with liberty to file again as and when situation arises and after satisfying on the aspect of stamp duty as per the Indian Stamp Act, 1899 and in line of the judgment passed by this Court in *M/s URC Construction (P) Ltd. v. Airports Authority of India*².

5. Leave and liberty, as aforesaid, is granted.

6. The petition is dismissed as withdrawn.

7. Pending application(s), if any, also stands disposed of.

OM PRAKASH SHUKLA, J

SEPTEMBER 25, 2026/pa

² OMP (ENF.) (COMM.) 155/2026