



2026:DHC:8567



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

CNR No. DLHC010144742020

+ **EX.P. 23/2020 & EX.APPL.(OS) 286/2020**

DEN NETWORK LTD. & ANR.Decree Holders
Through: Advocate (appearance not given).

versus

AEROLEX CABLE NET & ANR.Judgement Debtors
Through: Mr. Abhishek Bharti, Adv.

CORAM:
HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

ORDER(ORAL)

% **30.09.2026**

1. It appears that the arbitral award sought to be enforced does not bear adequate stamp duty as per the Indian Stamp Act, 1899, as applicable in NCT of Delhi¹.

2. It is trite that an insufficiently stamped instrument cannot be enforced. It is also well-settled that the aspect of stamp duty is a curable defect. However, the defect shall be cured in accordance with the Act.

3. In view thereof, this Court issued practice directions dated 13.07.2026, by which one last indulgence was granted for four weeks whereby the Decree Holder ought to deposit sufficient stamp duty along with penalty, if any, on the award sought to be enforced.



2026:DHC:8567



4. This time period has come to an end on 13.08.2026, hence no further indulgence can be granted.
5. Section 33 of the Act imposes a duty upon this Court to impound an inadequately stamped instrument, i.e., arbitral award in the present case. Section 35 further prohibits this Court from acting upon such an insufficiently stamped award.
6. Accordingly, the arbitral award is liable to be impounded under Section 33 of the Act.
7. At this stage, learned Counsel appearing for the Decree Holder submits that amount has already been deposited to secure stay in OMP (COMM) 195/2022 which is arising out of the arbitral award dated 11.03.2015 sought to be enforced herein. Therefore, no purpose would be served to keep this enforcement petition pending.
8. Accordingly, he seeks leave to withdraw the present petition with liberty to file it again as and when situation arises and after making stamp duty sufficient as per the Act.
9. Leave and liberty as aforesaid is granted.
10. The present petition is dismissed as withdrawn.

OM PRAKASH SHUKLA, J

SEPTEMBER 30, 2026/at