



2026:DHC:8221



\$~38 & 39

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

CNR No. DLHC010691802024

+ **OMP (ENF.) (COMM.) 224/2024**

SIEMENS AKTIENGESELLSCHAFT & ANR.

.....Decree Holders

Through: Mr. Nakul Dewan, Sr.
Advocate with Mr. Jeevan
Ballav Panda, Mr. Rahul
Kaushik, Ms. Ashima Sharma
and Mr. Srinivas NC,
Advocates.

versus

**DELHI AIRPORT METRO EXPRESS PRIVATE LIMITED &
ANR.**

.....Judgement Debtors

Through: Mr. Salim Ambar Inamdar, Mr.
Hasan Murtaza, Mr. Sameer
Sharma and Mr. Ankit Kumar
Sinha, Advs.
Mr. Tarun Johri and Mr.
Vishwajeet Tyagi, Advocates.

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CNR No. DLHC010691812024

+ **OMP (ENF.) (COMM.) 225/2024 & EX.APPL.(OS) 1238/2025**

SIEMENS AKTIENGESELLSCHAFT & ANR.

.....Decree Holders

Through: Mr. Nakul Dewan, Sr.
Advocate with Mr. Jeevan
Ballav Panda, Mr. Rahul
Kaushik, Ms. Ashima Sharma
and Mr. Srinivas NC,
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Sharma and Mr. Ankit Kumar
Sinha, Advs.
Mr. Tarun Johri and Mr.
Vishwajeet Tyagi, Advocates.

CORAM:
HON'BLE MR. JUSTICE OM PRAKASH SHUKLA

ORDER (ORAL)

% **23.09.2026**

1. It appears that the arbitral award sought to be enforced is not adequately stamped 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 Indian Stamp Act, 1899, as applicable in NCT of Delhi.
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.
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

¹ "Act" hereinafter



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upon such an insufficiently stamped award.

6. Accordingly, the award is liable to be impounded under Section 33 of the Act.

7. At this stage, learned Counsel for the Decree Holder seeks leave to withdraw the present petition with liberty to satisfy on the aspect of stamp duty in accordance with the Act along with penalty, if any, and file it again as and when situation arises.

8. Leave and liberty as aforesaid is granted.

9. The petition is dismissed as withdrawn.

OM PRAKASH SHUKLA, J

SEPTEMBER 23, 2026/pa