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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
+ **OMP (ENF.) (COMM.) 163/2023**  
**NTPC LIMITED** .....Decree Holder

Through: Mr. S.B. Upadhyay, Sr. Advocate  
with Mr. Tarkeshwar Nath and Mr.  
Harshit Singh, Advocates.

versus

**IT ALIAN-THAI DEVELOPMENT PUBLIC  
COMPANY LIMITED** .....Judgement Debtor

Through: Mr. Narender Hooda, Senior  
Advocate with Mr. Aditya Mishra,  
Advocate

**CORAM:**  
**HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA**

**ORDER**

% **28.03.2025**

**EX.APPL.(OS) 548/2025**

1. This is an application under Section 151 of the Code of Civil Procedure, 1908 ('CPC') filed by the decree holder seeking a direction to the judgment debtor to comply with the order dated 19.02.2025, whereby the judgment debtor was directed to file an affidavit of assets in terms of Form 16A Appendix E as per Order XXI Rule 41(2) CPC and/or to deposit the awarded amount with up-to-date interest with the registry.
2. Issue notice. Learned counsel for the judgment debtor accepts notice.
3. Learned senior counsel appearing on behalf of the judgment debtor states on instructions from (i) Mr. Rajiv Sharma, Retainer-Consultant Contracts and Claims Management, ITDPCL-Koldam; (ii) Mr. Shiv Prakash Shukla, Accounts Manager; and (iii) Mr. Satit Kitsurachai, Project Manager, ITDPCL Koldam that the said affidavit will be filed within a period of two (2) weeks.



4. The statement is taken on record and Judgement Debtor and its officers are bound down to the same.

5. List on 23.04.2024, the date already fixed.

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6. Mr. Hooda, learned senior counsel for the judgment debtor states that the subject matter of this petition is the award dated 16.03.2022.

7. He states that the petitions under Section 34 of the Arbitration and Conciliation Act, 1996 ('Act of 1996') filed by the parties i.e., OMP (COMM.) 343/2022 titled **Italian Thai Development v. NTPC Limited** and OMP (COMM.) 409/2022 titled **NTPC Limited v. Italian Thai Development** are both pending before the Co-ordination Bench of this Court i.e., Bench of Hon'ble Mr. Justice Sachin Datta. He states that the said petitions are listed before the said Bench on 04.04.2025.

8. He states that as is the practice that the petition under Section 36 of the Act of 1996 ought to be listed along with petition under Section 34 of the Act of 1996 before the same Bench, he requests that this matter be placed before the same Bench. He states that arguments have already been heard in Section 34 petition filed by the Judgement Debtor and arguments are being heard in the Section 34 petition filed by the Decree Holder.

9. Accordingly, subject to orders of Hon'ble the Chief Justice, list the present matter along with OMP (COMM.) 343/2022 and OMP (COMM.) 409/2022, before the Bench of Hon'ble Mr. Justice Sachin Datta on **04.04.2025**.

**MANMEET PRITAM SINGH ARORA, J**

**MARCH 28, 2025/msh/MG**

*Click here to check corrigendum, if any*