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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
 + CS(OS) 1740/2013, I.As. 14321/2013, 15288/2013, 1350/2014
TATA CHEMICALS LTD

..... Plaintiff

Through: Mr. Ajay Kapur, Sr. Adv. with Mr.
 Varun Kumar and Ms. Saloni
 Chowdhry, Adv.

Versus

RAMESH APARTMENTS(DELHI) PVT LTD

..... Defendant

Through: Mr. Preet Pal Singh, Adv. with Mr.
 Vinod Gupta, Director of defendant.

+ CS(OS) 1742/2013, I.As. 14335/2013, 15303/2013, 1334/2013
TATA CHEMICALS LTD

..... Plaintiff

Through: Mr. Ajay Kapur, Sr. Adv. with Mr.
 Varun Kumar and Ms. Saloni
 Chowdhry, Adv.

Versus

RAMESH APARTMENTS(DELHI) PVT LTD

..... Defendant

Through: Mr. Preet Pal Singh, Adv. with Mr.
 Vinod Gupta, Director of defendant.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% **15.07.2015**

I.A. 1334/2014 (under Sections 8 & 5 of the Arbitration and
 Conciliation Act, 1996)

Mr. Kapur, the learned Senior Advocate for the non-applicant

submits that the original version of the agreement relied upon by the defendant/applicant has not been filed.

This Court is of the view that insofar as the plaintiffs themselves have referred to and relied upon the agreement and have filed a copy thereof, there would be no requirement for the original or certified copy of it to be filed under Section 8 of the Act.

Mr. Preet Pal Singh, the learned counsel for the applicant relies upon the dicta of this Court in 2014 (211) DLT 251 & 2014 (211) DLT 542.

This Court is of the view that in the aforesaid circumstance there is no requirement for filing the certified copy. In these circumstances, the application is allowed. This case is referred to Arbitration . Mr. Justice Anil Kumar (Phone No.9818000140), a former Judge of this Court, is appointed as the Arbitrator. Fees etc. shall be decided by the learned Arbitrator himself. The parties shall appear before the learned Arbitrator on 03.08.2015.

The suits and the pending applications are disposed off in the above terms.


NAJMI WAZIRI, J

JULY 15, 2015/acm