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

+ OMP 468/2007

TARA NIRMAN KENDRA

..... Petitioner

Through

Mr. Pradeep Dewan, Sr. Adv. with
Mr. Sunil Goyal and Mr. Deepak,
Advocates along with Mr. Shrashtant
Patara in person

versus

MAITRI CHARITABLE TRUST & ORS

..... Respondents.

Through:

Mr. Sandeep Sharma, Advocate with
Mr. Siddharth Yadav, Advocate

+ OMP 630/2007

MAITRI CHARITABLE TRUST & ORS

..... Petitioners

Through:

Mr. Sandeep Sharma, Advocate with
Mr. Siddharth Yadav, Advocate

versus

TARA NIRMAN KENDRA

..... Respondent

Through

Mr. Pradeep Dewan, Sr. Adv. with
Mr. Sunil Goyal and Mr. Deepak,
Advocates along with Mr. Shrashtant
Patara in person

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

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04.12.2015

1. Counsel for the parties state that the impugned Award dated

OMP 468/2007 & conn.

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18.05.2007 and the corrigendum dated 07.07.2007 be set aside and the matters be remitted for a fresh decision by an Arbitrator of the disputes between the parties in accordance with law.

2. It is agreed that Hon'ble Ms. Justice Manju Goel, a retired Judge of this Court, Mob. No.9818000330, resident of R-128, Greater Kailash-I, New Delhi-110048, is appointed as an Arbitrator to decide the disputes between the parties. It is agreed that the Arbitrator will fix her own fee after taking suggestions from the counsel for the parties.

3. It is also agreed that the Arbitrator will pass the award on the basis of the existing record i.e. parties will not file any further pleadings or evidence in the arbitration proceedings. Arbitrator is requested to hear and dispose of the matters and pass an award within a period of six months of receipt of copy of this order.

4. Parties to appear before the learned Arbitrator on 23rd December, 2015 at 5:00 p.m.

5. Counsel for the petitioner/Tara Nirman Kendra has agreed that since counsel for the respondent no.1/Maitri Charitable Trust does not have the arbitration proceedings, counsel for the petitioner at the costs of the

respondent no.1 will supply the necessary record to the counsel for the respondents.

6. Whatever amount is deposited by the petitioner/Tara Nirman Kendra in this Court, be refunded to the petitioner through counsel along with interest accrued thereon, if any, and this will not be a reflection with respect to the merits of the case to be decided by the Arbitrator.

7. Parties are left to bear their own costs.

8. Copy of this order be given *dasti* to counsel for both the parties and be also sent to the learned Arbitrator.


VALMIKI J. MEHTA, J

DECEMBER 04, 2015

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