

17

\$~49 & 54

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

+ ARB.P. 283/2012

NARESH BABU SHARMA Petitioner
Through Mr.S.S.Ahluwalia, Adv.

versus

DEVKI NANDAN SHARMA Respondent
Through Mr.M.Amanullah, Adv.

+ O.M.P. 446/2012

NARESH BABU SHARMA Petitioner
Through Mr.S.S.Ahluwalia, Adv.

versus

DEVKI NANDAN SHARMA Respondent
Through Mr.M.Amanullah, Adv.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN SINGH

ORDER

% **29.01.2016**

The above mentioned two petitions are pending for the last more than three years. Both the matters have been discussed for some time. Both the parties are also present before Court for the purposes of settlement. However, the settlement could not be arrived at between the parties. Both the parties are agreeable that both the petitions may be disposed of on the following terms and conditions:-

1. Parties agree that Mr.Kamal Nijhawan, Advocate (Mobile No.9810077957) is appointed as an Arbitrator to adjudicate the disputes between the parties.
2. The respondent who is present in Court agrees that till the

time Arbitrator renders his award, the respondent shall pay a sum of Rs.15,000/- per month to the petitioner without prejudice in order to protect the rights with regard to the relief claimed by the petitioner in OMP No.446/2012.

The fee of the learned Arbitrator at this stage is fixed at Rs.1 lac which shall be paid by both the parties in equal proportion.

The parties to appear before the Arbitrator on 23rd February, 2016 for directions.

The learned Arbitrator shall ensure the compliance of the provisions of Arbitration and Conciliation (Amendment) Ordinance, 2015 before commencing the arbitration.

Liberty is also granted to the parties to move an application, if necessary, before the Arbitrator for interim relief and the learned Arbitrator would decide the same as per its own merit. Both the petitions are accordingly disposed of. The learned Arbitrator is requested to decide the disputes as early as possible.

Copy of this order be given *dasti* to the learned counsel for the parties and a copy thereof be delivered to the learned Arbitrator.


MANMOHAN SINGH, J.

JANUARY 29, 2016/vp