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

+ **FAO 268/2016 & CM APPL.21837-38/2016**

AMAR TYAGI

..... Appellant

Through: **Mr. Kundan Kumar Lal, Adv.**

versus

M/S VOLKSWAGEN FINANCE P LTD..... Respondent

Through: **Mr. Sanjeev Sagar, Advocate with
Mr. Jasvin Dhama, Adv.**

CORAM:

HON'BLE MR. JUSTICE V.K. SHALI

ORDER

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03.06.2016

1. The learned counsel for the respondent has put in appearance. He has pointed out that after availing the credit facilities from the respondent to the tune of Rs.37 lacs, the appellant did not pay even a single instalment to the liquidation of the loan.
2. It has been further stated that even in the impugned order the appellant had been given liberty to approach the Arbitrator for modification of the interim order passed by the Court under Section 9 of the Arbitration & Conciliation Act, 1996. It has also been stated that since the arbitrator has already been appointed and the next date of hearing is fixed as 10.06.2016, therefore, the present appeal need not be entertained.
3. I have considered the submissions made. I found substance in the contention of the learned counsel for the respondent. Since I do not find any illegality in the impugned order and the fact that the arbitrator has already been appointed, wherein in the impugned order liberty has been given to the appellant to go to the arbitrator, therefore, this appeal is not maintainable.
4. Accordingly, the appeal is dismissed.

5. Since appeal has been dismissed, no orders on the applications are called for.

JUNE 03, 2016
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V.K. SHALI, J.