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IN THE HIGH COURT OF DELHI AT NEW DELHI

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O.M.P.(I) (COMM.) 222/2016 & IA 9093/2012

VENUS MART PVT LTD

..... Petitioner

Through: Mr. Jagjit Singh, Mr. Preet Singh and
Ms.Kiran Kaushik, Advocates.

versus

AB LAND PVT LTD

..... Respondent

Through: Mr. B.K. Sood and Mr. Shivam Rawat,
Advocates.

CORAM: JUSTICE S.MURALIDHAR

ORDER

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24.11.2016

1. The Court has already appointed a sole Arbitrator to adjudicate the disputes between the parties by an order dated 27th January, 2015 in Arb.P. No. 313 of 2014.
2. The learned Arbitrator is in seisin of the proceedings which are in progress before him under the aegis of Delhi International Arbitration Centre ('DAC').
3. As far as the present petition under Section 9 of the Act is concerned, an interim order was passed on 14th May, 2012 which *inter alia* permitted the Respondent to adjust their dues from the amount lying with them as loan subject to final orders.
4. In view of the subsequent development of the learned Arbitrator having

already been appointed, the Court considers it appropriate to direct that the present petition along with its entire pleadings and documents be placed before the learned Arbitrator and be treated as an application under Section 17 of the Act. This will be done before the next date in the arbitral proceedings i.e., 4th January, 2017. The learned Arbitrator shall endeavour to dispose of the application within a further period of two months thereafter. Needless to state, it will be open to the learned Arbitrator to vary or modify the interim order passed by this Court on 14th May, 2012.

5. The petition and the application are disposed of in the above terms.

S.MURALIDHAR, J

NOVEMBER 24, 2016
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