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

+ O.M.P.(I) (COMM.) 276/2016

RAJASAVI ESTATE & DEVELOPERS

..... Petitioner

Through: Mr Ratan K. Singh, Mr Aishwary
Kumar Tiwari, Mr Vidur Sikka, Mr S.
Abhishek Iyer and Ms ASwani
Kumar, Advocates.

versus

SHRI JASJIT SINGH & ANR.

..... Respondents

Through: Mr Chetan Lokur with Mr Nitish
Chaudhary, Advocates with
Respondent no.1.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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24.08.2016

This is a petition filed under Section 9 of the Arbitration and Conciliation Act, 1996, *inter alia*, praying that the respondents be restrained from selling, disposing of or parting with possession or creating any third party interest in the second floor of the property bearing no.29/56, West Punjabi Bagh, New Delhi.

The petitioner had entered into a collaboration agreement with Shri Jasjit Singh (respondent no.1) and Smt. Satwant Kaur (respondent no.2) for development of the property bearing no. 29/56, West Punjabi Bagh, New Delhi. It is stated that certain disputes have arisen between the parties in relation to the said agreement. The respondents assert that the said

agreement was validly terminated by them by a notice dated 14.01.2015, however the same is disputed by the petitioner.

The parties are agreeable if their disputes are referred to a Sole Arbitrator appointed by this Court. With the consent of the parties, Ms Pooja Saigal, Advocate (Mobile No. 9810137113) is appointed as a Sole Arbitrator to adjudicate the disputes arising between the parties in relation to the collaboration agreement. The fees of the Arbitrator shall be in terms of the Schedule IV to the Arbitration and Conciliation Act, 1996. The parties shall approach Ms Saigal for fixing a preliminary hearing.

Insofar as the present petition is concerned, the respondents have filed a reply asserting that the second floor of the property in question was sold by them and a Sale Deed dated 25.01.2016 in respect of the said property has also been executed; a copy of the said Sale Deed has also been produced by the respondents.

In view of the above, the relief as prayed for by the petitioner in the present petition no longer survives. Accordingly, the present petition is disposed of.

It is clarified that nothing stated herein should be construed as an expression of opinion on the merits of any dispute that may be raised by the parties. This application would also not preclude the parties from approaching the Arbitrator for any interim relief that may be warranted.

Dasti under the signatures of the Court Master.

VIBHU BAKHRU, J

AUGUST 24, 2016
MK