

\$~28

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

+ **O.M.P.(I) 27/2016 & IA Nos. 11149/2016 & 11150/2016**

SUNITA

..... Petitioner

Through : Mr Rishi Kapoor and Mr Suparna,
Advocates.

versus

EMAAR MGF LAND LIMITED

..... Respondent

Through : Ms Manmeet Arora, Ms Chand Arora
and Mr Devashish Chauhan, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

%

17.10.2016

1. The petitioner has filed the present petition under Section 9 of the Arbitration and Conciliation Act, 1996, *inter alia*, praying as under:-

“A. Pass the order to the Respondent to deposit the bank guarantee or demand draft on the name of this Hon'ble court of the total amount that is Rs. 13453778/- (RUPEES ONE CRORE THIRTY FOUR LACS, FIFTY THREE THOUSAND, SEVEN HUNDRED AND SEVENTY EIGHT RS. ONLY) before this Hon'ble court so that the Respondent or their agent, in the interest of justice, should not jeopardize the interest of the Petitioner and her hard earn money.

B. Freeze the banking accounts of the respondent during the pendency of the present suit so that the money of the Petitioner may be secured.

C. Refrain the respondents from selling/alienating/transferring/leasing or tempering in any other form or by any other means with the immovable property as mentioned in the

present case and detailed as 'EMERALD FLOOR SELECT, EMERALD HILLS REVENUE, SECTOR 65, GURAGAON (HARYANA).”

2. The petitioner had paid a sum of ₹1,34,53,778.00 as consideration for purchase of a residential unit being Unit EFS-B-C-SF-60A in Block-C (Coral), Emerald Floor Select, Emerald Hills Revenue, Sector-65, Gurgaon from the respondent.
3. Ms Arora, the learned counsel appearing for the respondent states that the respondent shall, subject to any further order that may be passed by the Arbitral Tribunal to be constituted, not deal with the residential unit till the conclusion of the arbitral proceedings. In view of the aforesaid statement, no further interim orders are required to be passed at this stage.
4. It is clarified that the disposal of the present application will not preclude the petitioner from approaching the Arbitrator for any interim measures as may be advised.
5. The petition and the pending applications are disposed of.

VIBHU BAKHRU, J

OCTOBER 17, 2016

pkv