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

+ O.M.P.(I) (COMM.) 407/2016

EMAAR MGF LAND LIMITED Petitioner

Through: Mr. Arvind Nigam, Senior Advocate
with Ms. Manmeet Arora, Ms. Liza
Baruah & Ms. Tanuja. N, Advocates.

versus

CARE REALTECH PVT. LTD. & ANR Respondents

Through: Mr. Anil Kher, Senior Advocate with
Mr. Kumar Manish, Mr. Akhilesh K.
Jha & Mr. Amit Kumar, Advocates.

WITH

+ O.M.P.(I) (COMM.) 408/2016

EMAAR MGF LAND LIMITED Petitioner

Through: Mr. Arvind Nigam, Senior Advocate
with Ms. Manmeet Arora, Ms. Liza
Baruah & Ms. Tanuja. N, Advocates.

versus

CARE REALTECH PVT. LTD & ANR. Respondents

Through: Mr. Anil Kher, Senior Advocate with
Mr. Kumar Manish, Mr. Akhilesh K.
Jha & Mr. Amit Kumar, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **20.12.2016**

1. These are applications filed under Section 9 of the Arbitration and Conciliation Act, 1996 (hereafter 'the act').

2. After some arguments, the learned counsel for both the parties jointly request that an arbitrator be appointed by this Court to adjudicate the disputes that have arisen between the parties in relation to the agreements entered into between them for development of land in question [Agreements dated 10.12.2007 in OMP(I)(COMM.) 407/2016 and Agreements dated 10.05.2007 in OMP(I) (COMM.) 408/2016].

3. With the consent of the parties, Justice Sunita Gupta (Retd.), a former Judge of this Court is appointed as sole arbitrator to adjudicate the dispute between the parties. This is subject to the Arbitrator making the necessary disclosure under Section 12 of the Act and not being ineligible under Section 12(5) of the Act.

4. The arbitration shall be conducted under the aegis of the Delhi International Arbitration Centre (DIAC) and in accordance with its rules.

5. The Arbitrator shall consider the present petitions as applications under Section 17 of the Act.

6. Learned counsel for the respondents states that the respondents are not intending to immediately deal with the property in question. In this view, no interim order has been passed at this stage. However, the prayers of the petitioner for interim relief shall be considered and disposed of by the arbitrator as expeditiously as possible, preferably within a period of six weeks from today. The parties are at liberty to approach the sole arbitrator for fixing an early hearing.

7. The registry of this Court shall forward a copy of this order to the

Coordinator DIAC as well as the Arbitrator.

8. The petition is disposed of.

DECEMBER 20, 2016/ssc

VIBHU BAKHRU, J