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

+ **W.P.(C) 6053/2015, C.M. NO.10995/2015**

KAVITA SOLANKI

..... Petitioner

Through : Sh. Himanshu Upadhyaya, Advocate.

versus

THE SECRETARY, VIKARAM NAGAR, CGHS & ORS

..... Respondents

Through : Sh. Prakash Kumar, Advocate, for
Respondent No.1.

CORAM:

HON'BLE MR. JUSTICE S. RAVINDRA BHAT

HON'BLE MS. JUSTICE DEEPA SHARMA

ORDER

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03.02.2016

During the course of hearing, it transpired that the Arbitrator to whom the disputes were referred to under Section 70 of the Delhi Cooperative Societies Act, 2003 has adjourned the proceedings *sine die*. The Arbitrator took note of the present writ petition and was of the opinion that preliminary proceedings would not be conducive in the larger public interest. The disputes pertained to the amounts payable by the petitioner on account of alleged dues claimed by the respondent Society. Concededly a sum of ₹75,000/- has been paid. The dispute pertains to the balance. The respondent Society submits that over ₹64,000/- odd is payable.

This Court is of the opinion that the Arbitrator should proceed and decide the disputes *inter se*. Pending these proceedings, the amount in dispute should be deposited with the Society which shall

keep the amount so deposited, in a separate interest bearing account to be duly adjusted/disbursed in accordance with the final order of the Arbitrator. The amount so deposited shall be the difference between ₹1,39,825/- and the sum of ₹75,000/-. The said amount shall be deposited within two weeks.

The Arbitrator is hereby directed to revive the proceedings and decide the *inter se* disputes in accordance with law at the earliest possible time and preferably within two weeks from today.

S. RAVINDRA BHAT, J

DEEPA SHARMA, J

FEBRUARY 03, 2016
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