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IN THE HIGH COURT OF DELHI AT NEW DELHI

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ARB.P. 797/2016

VIJAY KUMAR MUNJAL & ANR

..... Petitioners

Through: Mr. Anup Bhambani, Senior Advocate
with Mr. Ankit Sibbal and Mr. Aditya Jain,
Advocates.

versus

PANKAJ MUNJAL & ANR

..... Respondents

Through: Mr. Raman Kapoor, Senior Advocate
with Mr. Shashi Pratap Ojha, Advocate.

CORAM: JUSTICE S.MURALIDHAR

ORDER

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19.12.2016

IA No. 15656/2016 (for exemption)

1. Exemption allowed, subject to all just exceptions.

Arb.P. 797/2016

2. Notice. Mr. Shashi Pratap Ojha, learned counsel accepts notice on behalf of the Respondents.

3. Without prejudice to their respective contentions and rights, learned Senior counsel for both the parties agree that this Court can appoint a sole Arbitrator notwithstanding the arbitration clause in the family settlement and other agreements contemplates for the constitution of a three-Member Arbitral Tribunal. They also agree that this Court may appoint Dr. Justice M.K. Sharma, a former Judge of the Supreme Court as a sole Arbitrator to

adjudicate the disputes arising out of the family settlement and other agreements.

4. Accordingly, the Court appoints Dr. Justice Mukundakam Sharma, a former Judge of the Supreme Court (Mobile No. 9818000190) as a sole Arbitrator to adjudicate the disputes between the parties arising out of the family settlement and other agreements, including their claims and counter-claims. The learned Arbitrator shall fix his own terms and communicate them to the parties. The parties are directed to appear before the learned Arbitrator on 14th January, 2017 at 4 PM or such changed time and/or date that the learned Arbitrator finds convenient which will be communicated to the parties at least ten days in advance. The venue for the first hearing will be fixed by the Petitioner and communicated to the learned Arbitrator and the Respondent at least one week prior to the date fixed. The expenses for the hearing incurred shall be equally shared by the parties.

5. The learned Arbitrator will proceed in terms of the requirements of the Arbitration and Conciliation Act, 1996 as amended with effect from 23rd October, 2015 before commencement of the arbitration.

6. The petition is disposed of in the above terms. Order be given *dasti*. A certified copy of this order be delivered forthwith to Dr. Justice Mukundakam Sharma.

S.MURALIDHAR, J

DECEMBER 19, 2016/Rm