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

+ O.M.P.(I) (COMM.) 48/2015

BALISTER TYAGI

..... Petitioner

Through: Mr. Achal Gupta, Ms. Priya Saxena &
Ms. Annie Rais, Advocates.

versus

OM PRAKASH TYAGI & ANR.

..... Respondents

Through: Mr. Anuj Aggarwal, Advocate for R-2.
Mr. Anjum Kumar, Advocate for the
Applicant In IA No.6084/2016.

CORAM: JUSTICE S.MURALIDHAR

ORDER
04.10.2016

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IA No.6084/2016

1. The claim of the applicant to be impleaded as a party is on the basis that he has filed a suit for declaration that he is the owner of the property which forms subject matter of the arbitration.

2. Admittedly, the suit is still pending and there is no declaration as yet in favour of the Petitioner. The applicant is not a party to the family settlement.

3. In that view of the matter the application cannot be entertained and is dismissed.

OMP (I) (Comm.) No.48/2015

4. Considering that the arbitration is already in progress the interim order

dated 17th April, 2015 is directed to continue till it is varied or modified by the learned Arbitrator in accordance with law in an application under Section 17 of the Arbitration Act.

5. The petition is disposed of.

OCTOBER04, 2016
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S. MURALIDHAR, J.