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

+ O.M.P.(I) (COMM.) 126/2017

PANKAJ MUNJAL & ANR.

..... Petitioners

Through: Mr Akhil Sibal, Senior Advocate with
Ms Malini Sud, Mr Vikas Misra, Mr
Nikhil Chawla, Mr Ishaan Khanna
and Mr Shagun Parashar, Advocates.

versus

COLOUR CRAFTS PVT. LTD. & ORS.

..... Respondents

Through: Mr Chander M. Lall, Senior Advocate
with Ms Nancy Roy and Mr Rupin
Bahl, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **01.05.2017**

1. At the outset, Mr Lall the learned senior counsel for the respondents states that with the consent of the parties, Justice Sharma (Retd.) has been appointed as the sole arbitrator to adjudicate the disputes that have arisen in relation to the Family Settlement Agreement dated 20.05.2010. He contends that the parties may be directed to approach the sole arbitrator for any relief. He further states, on instructions, that although respondent no.3 (M/s Hero Exports) is not a party to the arbitration proceedings, it is agreeable to join the arbitration proceedings as a party and would be bound by any award or order that may be passed by the arbitral tribunal. Respondent no. 3 is bound down to the aforesaid statement.

2. In the circumstances, the since recourse to the sole arbitrator provides efficacious and adequate remedy to the petitioner, this Court is not inclined to entertain this petition at this stage. Accordingly, the present petition is disposed of with the direction that the present petition be treated as an application under Section 17 of the Arbitration and Conciliation Act, 1996. The parties are at liberty to approach the sole arbitrator for an urgent hearing and disposal of the present petition *albeit* as an application under Section 17 of the Act.

3. Order *dasti* under signatures of the Court Master.

VIBHU BAKHRU, J

MAY 01, 2017

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