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

+ ARB.P. 383/2013

M/S PUJAS SHILPKLA PVT LTD Petitioner
Through Mr.Ashok Kumar, Adv.

versus

CENTRE FOR INDIAN CLASSICAL
DANCES & ANR Respondents
Through Mr.Dinesh Rastogi and Ms.Harshita
Agarwal, Advs.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

% **27.09.2017**

Present petition is filed under section 11 of the Arbitration and Conciliation Act, 1996 seeking appointment of an Arbitrator.

As per the petitioner a plot measuring 1700 sq. meters situated at Gulmohar Park, Hauz Khas New Delhi was allotted to respondent No.1 by DDA. Thereafter a perpetual lease deed dated 26.3.1987 was executed and registered in favour of respondent No.1 Society. An MOU dated 4.8.2003 was entered into between respondent No.1 and one Shri A.P.Sood. Shri A.P.Sood assigned all his rights and interests under the MOU in favour of the petitioner with knowledge, consent and concurrence of the respondents. An MOU dated 4.8.2003 is said to have been executed between Shri A.P.Sood on one hand as Assignor and the petitioner on the other hand. Subsequently, a collaboration agreement dated 30.8.2003 was executed between the petitioner and respondent No.1 for development and

construction of the building/superstructure on the said plot of land.

Disputes having arisen between the parties present petition has been filed.

In the Collaboration Agreement dated 30.8.2003, there exists an arbitration clause being clause 21.

Learned counsel for the respondent submits that he has no objection in case an Arbitrator is appointed to adjudicate the disputes between the parties. Accordingly, Justice S.L. Bhayana (Retd.) (Mobile No.9871300028) is appointed as a Sole Arbitrator to adjudicate the disputes between the parties. He will fix his fees in consultation with learned counsel for the parties.

I may only note that as per order of the Court dated 15.4.2015 the Collaboration Agreement was impounded by this court and sent for fixation of the appropriate fees. As recorded by the Joint Registrar on 22.9.2016 needful has been done.

Petition stands disposed of.

JAYANT NATH, J

SEPTEMBER 27, 2017

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