

\$~16

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

+ O.M.P.(I) (COMM.) 293/2017

PNB HOUSING FINANCE LIMITED Petitioner
Through Mr.Nishant Maidasani, Adv.

versus

BIJU OMANA BHASKAR & ORS. Respondents
Through Mr.N.P. Rakeesh Panicker and
Mr.Nishad L.S., Adv.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **24.11.2017**

The respondents enters appearance through Mr.N.P. Rakeesh Panicker, Advocate.

Learned counsel for the petitioner submits that an Arbitrator has been appointed to adjudicate the disputes that have arisen between the parties under the Loan Agreement dated 21.07.2016.

Learned counsel for the respondents submits that no information about any such appointment of the Arbitrator has been communicated to the respondents. Learned counsel for the petitioner submits that Mr.Siddharth Tomar, Advocate, Chamber No.430, Western Wing, Tis Hazari Courts, Delhi has been appointed as a Sole Arbitrator.

In view of the fact that the Arbitrator has already been appointed by the petitioner, I direct that this present application shall be treated as an application under Section 17 of the Act before such Arbitrator, giving liberty to the parties to make their submissions on merits before the Arbitrator.

Interim order dated 02.08.2017 shall remain in operation till the application is taken up for first hearing before the Arbitrator, who may decide to continue , vacate or modify the same on their own merits.

The petition is disposed of in the above terms.

I may only clarify that the present order shall not be construed, in any manner, to preclude the respondents from challenging the appointment of the Sole Arbitrator, in accordance with law.

NAVIN CHAWLA, J

NOVEMBER 24, 2017/vp