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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ O.M.P.(I) (COMM.) 441/2017 & IAs 13091/2017, 14158/2017
AMBIENT LAND HOLDINGS LTD. Petitioner
Through: Mr. S.D.Singh, Mr.Avinash Kr.
Lakhanpal, Mr.R.K.Singh, Mr.K.Prasad,
Mr.Jitender Singh, Advs.

versus

SPLENDOR LANDBASE LTD. & ANR. Respondents
Through: Mr.Sacchin Puri, Sr. Adv. with
Ms.Naimtha Mathews, Ms.Poorva Pant, Mr.Pulkit
Malhorta, Advs.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **30.11.2017**

This petition under Section 9 of the Arbitration and Conciliation Act, 1996 has been filed by the petitioner *inter alia* making the following prayers:-

“(a) grant ad interim relief in favour of the Petitioner against the Respondents whereby restraining the Respondents, its officials, agents etc. from creating any third party right or interest in any manner relating to 136 Units/ Flats with FSI of 2,15,586 sq. ft. (approx.) at Low Rise Towers (T 1-T6) at Sector 19, Barsat Road, Panipat, Haryana pending resolution of dispute or claim of the petitioner company in arbitration;

(b) pass such further order or orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.”

During the course of arguments, counsels for the parties were agreeable that a Sole Arbitrator be appointed by this Court for

adjudication of the disputes that have arisen between the parties under the Development Management Agreement dated 2nd August, 2016, without prejudice to the rights and contentions of either of the parties and leaving them open to seek their own remedies.

With the consent of the learned counsel for the petitioner and learned senior counsel for the respondents, I appoint, **Hon'ble Mr. Justice Aftab Alam** (Retd.), Mobile-9868219005 as the Sole Arbitrator to adjudicate the disputes that have arisen between the parties under the above agreement. It is made clear that the parties would be free to take all contentions, including with respect to the validity of the agreement in question.

In view of the above, learned counsel for the petitioner seeks leave to withdraw the present petition with liberty to file an application under Section 17 before the Sole Arbitrator, if so advised. It goes without saying that the same shall be defended by the respondent and all contentions shall remain open to the respondent in that regard.

The petition and the pending applications are disposed of in the above terms.

NAVIN CHAWLA, J

NOVEMBER 30, 2017
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