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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **O.M.P.(I) (COMM.) 53/2017**
PNB HOUSING FINANCE LTD

..... Petitioner

Through : Mr.Nishant Maidasani, Advocate.

versus

SAVITA BHATIA & ORS.

..... Respondents

Through : None.

CORAM:
HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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12.02.2018

None is appearing on behalf of the respondent despite service. Vide order dated 07.07.2017 the petitioner sought interim directions against three properties mentioned in therein. However, he has now referred to the property bearing No.47, B-3, Ground Floor, North Avenue Road, Punjabi Bagh, New Delhi – 110026 in respect of which equitable mortgage by depositing the title deed has already been created in favour of the petitioner.

The learned counsel for the petitioner submitted that arbitration proceedings have since been initiated and prayed this petition under Section 9 of the Arbitration and Conciliation Act, 1996 be referred to the learned arbitrator to be treated as an application under Section 17 of the Act while restraining the respondent in respect of abovesaid property.

In view of submissions so made, the petition is being referred

to the learned arbitrator as an application under Section 17 of the Act to deal with this aspect when the record is placed before the arbitrator. In the meanwhile, subject to order of the learned arbitrator the respondents are hereby restrained restraining from disposing of, selling, alienating, transferring or creating any encumbrance, charge or third party interest in any manner, whatsoever, in respect of property bearing No.47, B-3, Ground Floor, North Avenue Road, Punjabi Bagh, New Delhi – 110026.

Petitioner to appear before the learned arbitrator on or before 05.03.2018.

In view of above order, the petition stands disposed of.

YOGESH KHANNA, J

FEBRUARY 12, 2018

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