

\$~31

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

+ **ARB.P. 595/2017**

SURENDER KAUR

..... Petitioner

Through: Ms. Rinku Dhingra Narula, Adv. for
Mr. Bhupesh Narula, Adv.

versus

RAVINDER KAUR SETHI & ANR.

..... Respondents

Through: Mr. Manjit Singh, Adv.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

%

24.07.2018

This petition has been filed under Section 11 of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as the 'Act') seeking appointment of an arbitrator to adjudicate the disputes that have arisen between the parties in relation to the Memorandum of Understanding dated 10.02.2014. The said Memorandum of Understanding contains an Arbitration Agreement in form of Clause 12 thereof which is reproduced hereinbelow:-

“That in case any dispute arise between the parties the same shall be referred to the Arbitrator Harbhajan Singh, son of Late Atma Singh, r/o E-37, Rajouri Garden, New Delhi, mutually appointed by both the parties under the Arbitration and Conciliation Act 1996 and whose decision shall be final and binding on both the parties.”

The disputes were earlier referred to the named arbitrator, who passed an *ex parte* award dated 10.10.2017 which has been set aside by this Court with the consent of the respondent by way of separate order passed today in OMP (COMM) 68/2018.

The counsel for the parties submits that another arbitrator be appointed for adjudicating the disputes that have arisen between the parties in relation to the above mentioned Memorandum of Understanding.

In view of the submission made, I appoint Mr. Sanjivan Kumar Sarvaria, Retired District and Sessions Judge (5, Court Road, Delhi-110054, Mobile-9910384642, Phone No: 23993297, 23978182) as a Sole Arbitrator to adjudicate the disputes that have arisen between the parties in relation to the Memorandum of Understanding dated 10.02.2014.

The Arbitrator shall give a disclosure statement under Section 12 of the Act before proceeding with the reference.

The Arbitrator will endeavour to adjudicate the disputes expeditiously and preferably within one year as prescribed in Section 29(A) of the Act.

Dasti.

NAVIN CHAWLA, J.

JULY 24, 2018

pv