

\$~24

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ O.M.P. (COMM) 139/2016
ANIL KHANNA & ANR Petitioners
Through: Mr.Vivekanand, Adv.

Versus

RANJIV KHANNA & ANR Respondents
Through: Mr.A.K. De, Ms.Ananya De,
Mr.Zahid Ali & Mr.Rajesh Dwivedi,
Adv.

CORAM:
HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER
% **16.04.2018**

This petition under Section 34 of the Arbitration and Conciliation Act, 1996 has been filed by the petitioners challenging the Impugned Interim Award dated 29.09.2014 passed by the Sole Arbitrator.

The primary contention of the petitioners is that the Arbitrator has concluded that there was no legal and proper partition between the parties only on the ground that the agreements dated 31.08.2006, 14.11.2006 and 26.07.2007 have not been executed by petitioner no. 2 and respondent no. 2, who are the wives of petitioner no. 1 and respondent no. 1, respectively. He submits that apart from these documents, the petitioners had led other evidence in support of their claim regarding partition of the joint properties.

With the consent of the parties, the Impugned Award so far as it records its conclusion in paragraph 87 of the same is set aside and the Arbitrator is directed to proceed with the reference uninfluenced with his findings in paragraph 87 of the Impugned Award.

The petition is allowed to the above extent, with no order as to costs.

Dasti.

NAVIN CHAWLA, J

APRIL 16, 2018/rv