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

+ O.M.P.(I) (COMM.) 292/2019 & I.A. 12562/2019

17 M/S ANKUSH DEVELOPERS PVT. LTD. (ADP)..... Petitioner

Through: Mr. Raman Kapur, Sr. Advocate with
Mr. Saket Sikri, Mr. Mukesh Gupta
and Mr. Abhinav Tyagi, Advocates
along with Mr. Ankush Aggarwal,
A.R.

versus

M/S PARY DEVELOPERS
PVT. LTD. (PARY). & ORS.

..... Respondents

Through: Mr. Sachin Datta, Sr. Advocate with
Mr. Farrukh Khan and Mr. Ateendra
Saumya Singh, Advocates for R-1
Mr. Vinish Phoghat, Advocate for
R-2
Ms. Jagriti Ahuja, Advocate for R-4
Mr. Rajiv Kapur, Ms. Khushboo
Kapur, Ms. Shubhangi Rathore and
Mr. Sourav Tomar, Advocates for R-5
Mr. Ramesh Babu, Ms. Manisha
Singh and Ms. Sanya, Advocates for
R-7

+ O.M.P.(I) (COMM.) 293/2019 & I.A. 12564/2019

18 M/S ANKUSH DEVELOPERS PVT. LTD. (ADP)..... Petitioner

Through: Mr. Raman Kapur, Sr. Advocate with
Mr. Saket Sikri, Mr. Mukesh Gupta
and Mr. Abhinav Tyagi, Advocates
along with Mr. Ankush Aggarwal,
A.R.

versus

M/S PARY DEVELOPERS
PVT. LTD. (PARY). & ORS.

..... Respondents

Through: Mr. Sachin Datta, Sr. Advocate with
Mr. Farrukh Khan and Mr. Ateendra

Signature Not Verified
Digitally Signed
By:AMULYA

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Saumya Singh, Advocates for R-1
Mr. Vinish Phoghat, Advocate for
R-2

Ms. Jagriti Ahuja, Advocate for R-4
Mr. Rajiv Kapur, Ms. Khushboo
Kapur, Ms. Shubhangi Rathore and
Mr. Sourav Tomar, Advocates for R-5
Mr. Ramesh Babu, Ms. Manisha
Singh and Ms. Sanya, Advocates for
R-7

+ O.M.P.(I) (COMM.) 294/2019 & I.A. 12566/2019

19 M/S ANKUSH DEVELOPERS PVT. LTD. (ADP)..... Petitioner

Through: Mr. Raman Kapur, Sr. Advocate with
Mr. Saket Sikri, Mr. Mukesh Gupta
and Mr. Abhinav Tyagi, Advocates
along with Mr. Ankush Aggarwal,
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R-2
Ms. Jagriti Ahuja, Advocate for R-4
Mr. Rajiv Kapur, Ms. Khushboo
Kapur, Ms. Shubhangi Rathore and
Mr. Sourav Tomar, Advocates for R-5
Mr. Ramesh Babu, Ms. Manisha
Singh and Ms. Sanya, Advocates for
R-7

CORAM:
HON'BLE MR. JUSTICE J.R. MIDHA

ORDER
24.09.2019

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1. After some hearing, learned counsels for the petitioner and respondent



No.1 submit on instructions from their respective competent officers present in Court that a sole arbitrator be appointed by this Court to adjudicate the disputes between the parties.

2. Mr. Justice Manmohan Singh, former Judge of this Court is appointed as a sole arbitrator to adjudicate the claims and counter claims between the petitioner and respondent No.1.

3. The learned arbitrator shall ensure the compliance of Section 12 read with Fifth and Sixth Schedule of Arbitration and Conciliation Act, 1996 before commencing the arbitration.

4. The fees of the arbitrator shall be according to Fourth Schedule of the Arbitration and Conciliation Act, 1996.

5. Learned senior counsel for the petitioner submits that he shall file an application under Section 17 of the Arbitration and Conciliation Act before the learned arbitrator. Learned counsel further submits that respondent No.1 has filed an affidavit in terms of order dated 11th September, 2019 but the affidavit does not disclose the particulars of the flats or the amount received by respondent No.1 for the sale/transfer of the flats. It is further submitted that respondent No.1 has not filed the statement of account of their bank accounts for the period of 01st April, 2019 onwards.

6. Learned senior counsel for respondent No.1 submits that respondent No.1 shall file a fresh affidavit in terms of paras 4 and 5 of the order dated 11th September, 2019 along with statement of bank accounts from the period 01st April, 2019 onwards before the learned arbitrator on the first date of hearing.

7. Learned senior counsel for respondent No.1 submits that the petitioner should not approach the flat buyers as the entire project will be affected by the adverse publicity. Learned senior counsel for the petitioner submits that the petitioner does not intend to obstruct the project in any manner.

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8. These petitions are disposed of in above terms. Pending applications are disposed of.
9. Copy of this order be sent to the learned Arbitrator.
10. Copy of this order be given *dasti* to counsels for the parties under signature of Court Master.



J.R. MIDHA, J.

SEPTEMBER 24, 2019

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