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\$~6(Original Side)

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ O.M.P.(I) (COMM.) 27/2021 & I.A. 1202/2021

RANDHAWA CONSTRUCTION PRIVATE LIMITED

..... Petitioner

Through: Mr. Parmanand Yadav & Ms.
Divya Jyoti Singh, Advs.

versus

**HCBS PROMOTERS AND DEVELOPERS PRIVATE
LIMITED**

..... Respondent

Through: Mr. Suhail Dutt, Sr. Adv. With
Mr. Sankalp Goswami, Adv.

CORAM:

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER (ORAL)

25.03.2021

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1. The learned counsel for the parties, submit *ad idem*, but without prejudice to the rights and contentions of either of the parties, that this petition may be disposed of by appointment of an arbitrator to arbitrate on the disputes between the parties and by referring this petition to the arbitrator as an application under Section 17 of the Arbitration and Conciliation Act, 1996, for decision by the learned arbitrator.

2. The facts of the case have already been set out in detail in the order dated 25th January, 2021, and are not, therefore, being reiterated, to maintain brevity and avoid repetition.

3. In accordance with the suggestions *ad idem* by the learned counsel for the parties, I appoint Hon'ble Mr. Justice Ajit Bharihoke (Retd.), as the arbitrator, to arbitrate on the disputes between the parties. The contact details of the learned arbitrator are as under;

Phone No.: 9650110057

E-mail ID: ajitbharihoke@gmail.com

4. The learned arbitrator would be entitled to charge fees in accordance with the Fourth Schedule to the 1996 Act.

5. The learned arbitrator would furnish the requisite disclosure, under Section 12 (2) of the 1996 Act, within a week of entering on reference.

6. The present OMP shall be treated by the learned arbitrator as an application under Section 17 of the 1996 Act and decided accordingly. In course of deciding the present petition under Section 17, it shall be open to the respondent to seek modification or vacation of the order dated 25th January, 2021, and any such request if made would be considered by the learned arbitrator on its own merits.

7. The learned arbitrator is respectfully requested to decide the present petition, as an application under Section 17 of the 1996 Act,

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expeditiously, and, if possible, within four weeks of entering on reference.

8. With the aforesaid observations, this petition stands disposed of.

C.HARI SHANKAR, J

MARCH 25, 2021

ss

HIGH COURT OF DELHI



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