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

+ O.M.P.(I) (COMM.) 354/2020 & I.A. 9864/2020, I.A. 9863/2020

TRENT LIMITED

..... Petitioner

Through: Mr. Jayant Bhushan, Sr. Adv. with
Mr. Sahil Narang, Ms. Akanksha Banerjee,
Mr. Madhavam Sharma, Mr. Tushar
Bhushan, Advs.

versus

ANANT RAJ PROJECTS LIMITED

..... Respondent

Through: Ms. Gunjan Sinha Jain, Adv.

CORAM:

HON'BLE MR. JUSTICE C. HARI SHANKAR

ORDER (ORAL)

29.01.2021

(Video-Conferencing)

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1. By consent, the present petition is disposed of in the following terms:

(i) Hon'ble Mr. Justice Badar Durrez Ahmed, an eminent retired Chief Justice of High Court of Jammu & Kashmir, who also adorned the Bench of this Court, is appointed as arbitrator to arbitrate on the disputes between the parties. The fees of the learned arbitrator would be fixed in consultation with the parties. The contact details of the learned arbitrator are as under:

A-14, Friends Colony West,
Mathura Road,
New Delhi-110 065

Phone No.7042205786
Email ID: badardurrez@gmail.com

(ii) The parties are directed to contact the learned Arbitrator within one week of being communicated a copy of this order by the Registry of this Court by e-mail. The learned Arbitrator would furnish the requisite disclosure under Section 12(2) of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as “the 1996 Act”) within one week of entering on the reference.

(iii) The present petition (O.M.P.(I) (COMM.) 354/2020) shall be treated as an application under Section 17 of the 1996 Act and shall be decided by the learned Arbitrator in accordance with law. The petitioner is directed to file the present petition before the learned Arbitrator, as an application under Section 17, within a week of the learned Arbitrator entering on the reference. The entire record of this case, including the reply of the respondent and the documents which are on record, may be taken into consideration by the learned Arbitrator, while arbitrating on this petition.

(iv) The *ad interim* directions contained in the order dated 23rd October, 2020, passed by this Court in the present proceedings, shall continue to remain in force pending and

subject to the outcome of the decision of the learned Arbitrator, on the present petition, treating it as an application under Section 17.

(v) The learned Arbitrator would decide the application uninfluenced by any of the observations contained in the order dated 23rd October, 2020, as they were only intended to consider the prayer for *ad interim* relief, pending consideration of the Section 9 petition.

2. With the aforesaid observations, this petition stands disposed of.
3. Pending applications also stand disposed of.

C. HARI SHANKAR, J.

JANUARY 29, 2021

dsm