

IN THE HIGH COURT OF JUDICATURE AT PATNA
REQUEST CASE No.80 of 2021

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M/s Vasundhra Homes Private Limited having its registered office at Plot no. 107, 5th Floor, Sector- 44, Gurgaon, Haryana and having its local office at Office no. 600, 6th Floor, Vasundhara Metro Mall, East Boring Canal Road, P.S. Budha Colony, District- Patna through its Director Mr. Dhanesh Kumar Singh.

... .. Petitioner/s

Versus

1. Chandrawati Devi wife of Vijay Kumar Singh resident of 238, Nehru Nagar, P.S. Patliputra, District- Patna
2. Neelu Singh @ Nillawati Devi wife of Brahma Nand Singh resident of Gate no. 49, Near Murti Makan, Mainpura, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Amit Prakash, Advocate
Mrs. Soni Shrivastava, Advocate
Mr. Ravi Bhardwaj, Advocate

For the Respondent/s : Mr.Sanjeet Kumar, Advocate
Mr. Ujjawal Bhushan, Advocate
Mr. Raj Kamal, Advocate.

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date : 11-05-2022

This application has been moved seeking appointment of an Arbitrator invoking the powers of this Court under Section 11(6) of the Arbitration and Conciliation Act, 1996.

Today, there is no dispute about-(a) the legality, validity and binding effect of the agreement dated 25.03.2011 (Annexure-1, Page 13) entered into between the parties to the *lis*; (b) the existence of arbitration clause-18 (Annexure-1, Page 29); (c) the existence of dispute(s) arising there from; (d) the



dispute arisen out of the agreement being civil in nature and (e) no legal impediment in the adjudication of the dispute by the learned Arbitrator.

Parties agree for appointment of an Arbitrator.

As such, as jointly prayed for, Hon'ble Mr. Justice Dinesh Kumar Singh, Former Judge of this Court, is appointed as learned Arbitrator to adjudicate all disputes arising out of agreement dated 25.03.2011 entered into between the parties to the lis.

All pleas and issues raised, on merits, are left open to be considered and decided by the learned Arbitrator.

Learned Arbitrator shall be entitled to fee as per the schedule.

Since the dispute arises out of agreement of the year 2011, the hearing be expedited.

Parties undertake to fully cooperate and not take any unnecessary adjournment.

The proceedings, during the time of current Pandemic- Covid-19 shall be conducted through digital mode, unless the parties otherwise mutually agree to meet in person i.e. physical mode.

It is expected of the learned Arbitrator to decide the



issues expeditiously.

Registrar (List) is directed to immediately communicate the order to the learned Arbitrator.

Learned counsel for the parties also undertake to communicate the order to the learned Arbitrator. In fact, they volunteered to appear before him, through digital/physical mode on 06.06.2022 and apprise him of the passing of the order.

Parties shall file their statement of claims before the learned Arbitrator on such date of hearing which he may fix, as per mutual convenience.

The Request Petition stands disposed of in the above terms.

Interlocutory Application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

Sujit/Ashwini

AFR/NAFR	
CAV DATE	
Uploading Date	20.05.2022
Transmission Date	

