

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

106

1. CR-6338-2013

Date of decision: 23.09.2022

EMAAR MGF LAND LTD.

..Petitioner

Versus

ARPANA BEHLA AND ORS.

..Respondents

2. CR-6423-2016

MR. SAGGER SINGH GILL

..Petitioner

Versus

EMAAR MGF LAND LTD. & ANR.

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. A.P.S. Sandhu, Advocate
for the petitioner (in CR-6423-2016)
for respondents (in CR-6338-2013).

Mr. Shekhar Verma, Advocate
for the petitioner (in CR-6338-2013)
for respondent no.1 (in CR-6423-2016).

ANIL KSHETARPAL, J(Oral)

These two revision petitions have been filed against the orders passed by the trial Court while deciding applications under Section 8 of the Arbitration and Conciliation Act, 1996. In one case, the application has been allowed, whereas, in the second case, the same has been dismissed.

Admittedly, there is an agreement between the parties for resolving the dispute through an arbitrator. The dispute is between the promoter and allottees/home buyers.

The learned counsel representing the parties are not averse to resolving the dispute through an independent arbitrator, however, the home buyers have objections to the arbitration proceedings being conducted at

New Delhi, particularly, when the property is situated in Mohali.

The learned counsel representing the parties have come to a consensus. They have jointly stated that this Court may nominate an independent arbitrator to resolve the said dispute.

Keeping in view the aforesaid facts, Ms. Rekha Mittal (Retd. Judge of this Court), is nominated as an arbitrator.

Let the statement of claim be filed before the arbitrator. The arbitrator is requested to decide the dispute expeditiously.

The parties through their counsel are directed to appear before the arbitrator on 18.10.2022.

With all these observations both the revision petitions are disposed of.

All the pending miscellaneous applications, if any, are also disposed of.

September 23rd, 2022

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**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*