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

+ **O.M.P. (E) (COMM.) 2/2024 & I.A. 1700/2024**

JAIRAJ DEVELOPERS LLP

..... Petitioner

Through: Ms. Damini Chawla, Mr. Musheer
Zaidi, Advs. (M. 9643767947)

versus

PRIT PAL SINGH & ANR.

..... Respondents

Through: None.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **23.01.2024**

1. This hearing has been done through hybrid mode.
2. The present petition under Section 27 of the Arbitration and Conciliation Act, 1996 has been filed seeking issuance of summons to two witnesses.
3. In the present case, the arbitral proceedings are going on before the Id. Sole Arbitrator Justice Rajiv Sahai Endlaw (Retd.) Judge of this Court.
4. The Respondents i.e. Mr. Prit Pal Singh and Ms. Seema Sharma are already *ex parte* as recorded in the order dated 27th November, 2023 passed by the Arbitrator.
5. The ongoing arbitration in the present matter is in regard to a sale deed dated 27th July, 2018 entered into between the properties for purchase property bearing No. E - 9, Hauz Khaz, New Delhi, situated on land admeasuring 200 square yards.



6. On 13th December, 2023, Id. Arbitrator recorded that the Petitioner wishes to summon certain witnesses and they are free to take the assistance of the Court.

7. In view of the said orders and the prayer in this petition, summons be issued to the Bank Manager Kotak Mahindra Bank Limited, Branch Office at C - 78, Malviya Nagar, Delhi - 110017 to produce and certify the Statement of Accounts of the Petitioner and Today Realty Private Limited, in accordance with the provisions of the Bankers' Books Evidence Act, 1891, in arbitration proceedings titled as ***Jairaj Developers LLP vs. Prit Pal Singh & Another*** pending before HMJ (Retd.) Rajiv Sahai Endlaw on 3rd February, 2024 or any other date so fixed in the matter.

8. The said witness from the said Bank shall continue to appear and be bound by the orders passed by the Id. Sole Arbitrator.

9. The Petition is disposed of. All pending applications, if any, are also disposed of.

10. The Petitioner is free to take summons *dasti* and serve the same to the witness. It is made clear that the witness shall appear on 3rd February, 2024 or any other date as may be fixed by the Id. Sole Arbitrator. Diet money, if any, be directed by the Id. Arbitrator.

PRATHIBA M. SINGH, J.

JANUARY 23, 2024

mr/bh