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

+ **CS(OS) 177/2024**

BALI REAL ESTATE PRIVATE LIMITEDPlaintiff

Through: Mr. Sandeep Khurana, Mr. Shiven
Khurana and Mr. Manjit Singh, Advs.

versus

**IKANDI FASHION AND DESIGN PVT. LTD
& ANR.**

.....Defendants

Through: Mr. Rohit Khurana, Adv.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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26.03.2025

I.A. 33945/2024 (DELAY OF 19 DAYS IN RE-FILING THE APPLICATION)

1. For the reasons stated in the application, the delay of 19 days in filing the application under Section 8 of the Arbitration and Conciliation Act, 1996 stands condoned. The pleadings are taken on record.

2. The instant application stands disposed of.

I.A. 33944/2024 (UNDER SECTION 8 (1) OF THE ARBITRATION AND CONCILIATION ACT)

3. The instant application has been filed by the defendants to refer the dispute for arbitration.

4. With the consent of the parties and without prejudice to their rights and contentions, the Court deems it appropriate to appoint Ms. Rukmani Bobde (Mobile No. 9871738029, Email ID: bobde.rukhmini@gmail.com) as



the Sole Arbitrator who shall adjudicate the dispute between the parties with regard to mesne profits. The arbitration would take place under the aegis of the Delhi International Arbitration Centre (DIAC) and would abide by its rules and regulations. The learned Arbitrator shall be entitled to fees as per the Schedule of Fees maintained by the DIAC.

5. The learned arbitrator is also requested to file the requisite disclosure under Section 12 (2) of the Act within a week of entering reference.

6. The registry is directed to send a receipt of this order to the learned arbitrator through all permissible modes, including through e-mail.

7. All rights and contentions of the parties in relation to the claims/counter-claims are kept open, to be decided by the learned Arbitrator on their merits, in accordance with law.

8. The instant application is allowed and therefore, stands disposed of.

CS(OS) 177/2024 and I.A. 4818/2024, I.A. 33948/2024, I.A. 33949/2024, I.A. 42047/2024

9. Consequent to the order passed in the aforesaid application i.e. I.A. 33944/2024, the instant civil suit stands disposed of along with all pending applications.

10. The Court, under the facts of the present case, deems it appropriate to refund 50% of the Court Fee.

11. Accordingly, it is directed that 50% of the Court fee be refunded to the plaintiff.

PURUSHAINDR KUMAR KAURAV, J

MARCH 26, 2025

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Click here to check corrigendum, if any