

OMP (I) (COMM.) 254/25
Axis Bank Ltd Vs. AMITA DUBEY 1811

27.03.2025

Present : Sh. Varun Tyagi, Ld. Counsel for Petitioner.

Sh. Osama Suhail, Ld. Counsel for respondent has also appeared through VC.

Ld. Counsel for respondent has moved an application u/o I rule 10 CPC for impleadment of the respondent's husband as a party to the present litigation as only the loan was obtained in the name of respondent but money was utilized by her husband.

Be that as it may, since the husband of respondent is not the signatory to the arbitration agreement, hence, he could not be impleaded as a party and this court is not concerned with an internal arrangement between the respondent and her husband. Accordingly, the application as moved is dismissed.

Vide order dated 13.01.2025, the Receiver was appointed.

Ld. Counsel appearing for the Petitioner has stated that the Arbitration Proceedings have already been initiated, hence nothing survives to be adjudicated any further in this petition.

In view of the submissions made, the Petition is disposed of accordingly and since the arbitration proceedings have already been initiated, hence, respondent is free to raise her concern before the Ld. Arbitrator.

File be consigned to record room after completion of necessary formalities in this regard.

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(Lokesh Kumar Sharma)
District Judge (Commercial Court)-05
South/Saket/New Delhi/27.03.2025