

## **35. ARBITRATION**

35.1 All dispute relating to registration, booking, allotment, refunds and such other matters as are incidental to these and are likely to affect the mutual rights, interests, privileges, claims of the allottee vis-à-vis the Organisation, may be referred to the Managing Director (IRWO) who shall appoint an arbitrator to adjudicate in the matter. The award of the Arbitrator in the matter shall be final and binding on the allottee as well as the Organisation. For the purpose of Para 3 of Arbitration and Conciliation Act 1996 the Arbitrator shall be considered to have entered into reference, when he has called upon the party seeking arbitration to file his 'Statement of Claims'. Arbitration hearing will be held in Delhi only regardless of where property under dispute is situated.

35.2 No request for arbitration for adjudication of a dispute will be entertained unless it is made within two months of the cause of action or possession of dwelling unit.

35.3 No request for arbitration will be entertained by IRWO unless it is convinced that the dispute warrants recourse to arbitration and the decision of MD/IRWO in this respect shall be final and binding.

## **36. LEGAL PROCEEDINGS**

36.1 In case of disputes, the allottee may take recourse to court only after exhausting all avenues of redressal including Arbitration as provided in the rules.

36.2 The Managing Director only can sue or be sued on behalf of the Organisation. No other officer of the organization or any Member of the Governing Body shall be party to any legal proceeding.

## **37. SUITS WHERE TO BE FILED**

All suits and legal proceedings of any kind against the organization shall be instituted in the appropriate courts in New Delhi /Delhi notwithstanding the location of the property which may be subject matter of the dispute.

## **38. NOTICE OF SUITS TO BE GIVEN**

No suits or any legal proceedings of any kind shall be instituted against the Organisation unless a notice in writing has been delivered to the organization, stipulating the nature of claim, cause of action, relief sought, name, registration number and address of the person and a period of three months has expired after the notice.