

AGREEMENT OF REFERENCE TO TWO ARBITRATORS

THIS AGREEMENT made at ... this ... day of... between Mr. A of the one Part and Mrs. B of the other Part.... residing at ...

WHEREAS Mr. A and Mrs. B are full brother and sister.

AND WHEREAS the father of both A & B died Intestate, on or about the ... day of ... leaving some moveable property in the shape of ornaments, Bank accounts, investment and one immovable property.

AND WHEREAS disputes have arisen between the parties regarding their rights to and shares in the said property and also regarding partition of the said property.

AND WHEREAS parties have agreed to refer all the disputes regarding their claims to the said property including the question of partition thereof, according to their respective rights to two arbitrators viz. Mr. X and Mr. Y. the former being appointed by Mr. A and the latter by Mrs. B.

AND WHEREAS the parties have agreed to enter into this agreement for reference to arbitration of the said disputes and claims to the two arbitrators in the manner following.

NOW IT IS AGREED BETWEEN THE PARTIES HERETO AS FOLLOWS:

- 1) The parties hereto refer all their disputes and claims regarding the properties left by their father the late Mr... including the question of their respective shares and including effecting partition of the said properties

and all other questions incidental thereto to the arbitration of the said two Arbitrators Mr. X and Mr. Y.

- 2) The said Arbitrators shall, before entering upon the reference appoint an Umpire.
- 3) The Arbitrators shall direct the parties to file their respective inventories of the properties left by the said deceased. as per their respective contentions.
- 4) The said Arbitrators shall allow the parties to file their respective claims and contentions and to file documents relied upon by them within such reasonable time as the Arbitrators may direct.
- 5) The said Arbitrators shall give hearing to the parties either personally or through their respective Advocates but the Arbitrators will not be bound to take any oral evidence including cross examination of any party or person.
- 6) The said Arbitrators shall make their Award within a period of four months from the date of service of a signed copy of this Agreement on them by any of the parties hereto provided that the Arbitrators will have power to extend the said period from time to time with the consent of both the parties.
- 7) The Arbitrators will not make any Interim Award.
- 8) The Arbitrators will have full power to award or not to award payment of such costs of and Incidental to this arbitration by one party to the other as they may think fit.

- 9) Subject to the provisions of the Arbitration Act 1940 the award will be binding on the parties hereto.
- 10) The Arbitration shall subject to what is herein provided, be governed by the provisions of the Arbitration Act.

IN WITNESS WHEREOF the parties have put their respective hands the day and year first hereinabove written.

Signed by the withinnamed
Mr. A in the presence of
Signed by the withinnamed
Mr. B in the presence of