

In the High Court of Punjab and Haryana at Chandigarh

CR No.3111 of 2015

Date of decision: 13.07.2015

Smt. Nishi Bhargava and others

.....Petitioners

Versus

Gyaneshwar Bhargva and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr.Vivek Khatri, Advocate
for the petitioners.

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SABINA, J

Petitioners have filed this petition under Article 227 of the Constitution of India challenging the order dated 22.4.2015 (Annexure P6) .

Learned counsel for the petitioners has submitted that the suit in question had been filed on the basis of the Award dated 23.2.1999 (Annexure P2). Petitioner had challenged the Award by moving a petition under Section 34 of the Arbitration and Conciliation Act, 1996 ('the Act' for short). The said petition was dismissed vide order dated 10.2.2015 (Annexure P4). The said order had been challenged by the petitioner before this Court vide F.A.O. No. 2320 of 2015.

Respondent No.1 has filed a suit for declaration. During the pendency of the suit, petitioner moved an application that the proceedings in the suit be adjourned sine die till the final disposal of

FAO No. 2320 of 2015. Although, the petitioner has filed an appeal before this Court against the order passed by the learned Additional District Judge in a petition filed by the petitioner under Section 34 of the Act but the proceedings before the trial Court have not been stayed by this Court while issuing notice of motion in FAO No. 2320 of 2015. In these circumstances, learned trial Court rightly held that the proceedings in the suit could not be adjourned since as this Court had not stayed proceedings before the trial Court in FAO No. 2320 of 2015.

No ground for interference by this Court is made out.

Dismissed.

**(SABINA)
JUDGE**

July 13,2015
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