

CR-3593-2015 (O&M)

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CR-3593-2015 (O&M).

Decided on: May 25, 2015.

ALSTOM Power Systems GMBH and another

..... Petitioner(s)

Versus

Haryana Power Generation Corporation Limited

..... Respondent(s)

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CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

**PRESENT Mr.Akshay Bhan, Sr., Advocate, with
Mr.Alok Mittal, Advocate,
for the petitioners.**

M.M.S. BEDI, J (ORAL).

Award of the year 2010, being subject matter of the proceedings under Section 34 of the Arbitration and Conciliation Act, is pending before the learned Additional District Judge, Panchkula.

Through the instant petition under Article 227 of the Constitution of India, a direction has been sought for final disposal of the proceedings under Section 34 of the Arbitration and Conciliation Act in a time bound manner. Attention of the Court has been drawn to the interim orders which indicate that the learned Additional District Judge, Panchkula had partly heard the arguments on 20.3.2014 and had deferred the hearing for three consecutive dates i.e., 15.4.2014, 16.4.2014 and 17.4.2014.

From the interim orders, it appears that with the transfer of Presiding Officer, the objections have not yet been finally

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decided. There does not appear to be any intentional evasion of adjudication of the petition under Section 34 of the Arbitration and Conciliation Act by the Court but it appears to be on account of the transfer of Mr.Rajesh Garg, Additional District Judge, Panchkula.

The matter is now pending before Mr.Gulab Singh, Additional District Judge, Panchkula. It appears that the matter having recently been taken up by the Court of Mr.Gulab Singh, Additional District Judge, Panchkula, it will not be appropriate to issue any direction. However, having faith in the wisdom and efficiency of the Presiding Officer, taking into consideration the objectives of provisions of the Arbitration and Conciliation Act, this petition is disposed of with a direction that in case an application is moved by the petitioner for expeditious disposal, it is expected that the Presiding Officer will, take into consideration the delay which has already been caused in the matter and to adjudicate the application expeditiously.

May 25, 2015.
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(M.M.S. BEDI)
JUDGE