

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

**Civil Revision No.5864 of 2014 (O&M)
Date of Decision: September 03, 2015**

Jai Dev Dhanda

.... Petitioner

vs.

Surinder Dhir and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. H.S. Thiara, Advocate for the petitioner.

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment?*
- 2. To be referred to the Reporters or not?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh J.(Oral)

CM-18860-CII-2014

There is a delay of 215 days in filing the present revision petition.

For the reasons mentioned in the application, supported by an affidavit, delay of 215 days in filing the present revision petition is condoned, subject to all just exceptions.

Application stands disposed of.

CR-5864-2014

Impugned in the present revision petition is the order dated 13.09.2013 passed by learned Addl. District Judge, Ludhiana, affirming the order dated 11.11.2008 passed by learned Civil Judge (Jr. Divn.), Ludhiana, vide which the objections filed under Section 17, 30 and 33 of the Indian Arbitration Act, 1940 (in short 'the

Arbitration Act') in a petition under Section 14 & 17 of the Arbitration Act for making the Award dated 06.10.1992 Rule of Court, were allowed and the Award dated 06.10.1992 passed by respondent No.2 herein, was set aside.

I have heard learned counsel for the petitioner and have also carefully gone through the case file.

A perusal of the lower court order shows that the arbitrator agreement constituted two pages. The evidence of expert led before the lower court shows that there was a difference of signatures on the first page and second page of the agreement. Consequently, it was held that the signatures on the second page of the agreement are forged. The lower court further held that there was no material on the record to pass the Award. The findings of the lower court were affirmed in appeal.

These are the findings of the facts. Once an agreement is not proved, there is no question of making the Award Rule of Court.

It being so, there is no illegality or infirmity in the impugned order.

Accordingly, the present revision petition stands dismissed.

September 03, 2015
sarita

(KULDIP SINGH)
JUDGE