

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

CR No.6656 of 2015

Date of Decision: October 08, 2015

Mahindra and Mahindra Financial Services Limited .. Petitioner

vs.

Amrik Singh and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. S.C. Thatai, 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)

Impugned in the present revision petition is the order dated 04.07.2015 (Annexure P-12) passed by learned Addl. District Judge, Amritsar, vide which in the amendment of objections filed under Section 34 of the Indian Arbitration and Conciliation Act, 1996 was allowed.

By way of amendment, the respondent was allowed to plead that no copy of the Award passed by the Arbitrator was supplied to him and that he had come to know about the arbitral Award when he was served in the execution application.

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

Admittedly, the case is at the pleading stage. At the stage of pleadings, law with regard to amendment of the pleadings is

liberal. The objector wants to amend the objections to plead that he had not received the copy of the Award and he wants to challenge the arbitral Award. This plea will not change the nature of the case and was allowed.

Learned counsel for the petitioner has further argued that the lower court has further observed that the objections cannot be said to be time barred.

I am of the view that this is beyond the scope of the application for amendment. The fact whether the objections are time barred or not, is to be decided on merits. Therefore, the observations of the lower court in this regard are set aside. However, the amendment of the objections is held to be rightly allowed.

Consequently, with the abovenoted observations, the present revision petition stands dismissed.

October 08, 2015
sarita

(KULDIP SINGH)
JUDGE