

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

**CR No.6768 of 2014 (O&M)
Date of Decision : 18.03.2015**

Bhupender Godara
.....Petitioner
versus
Sher Singh and others
...Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: Mr. Rakesh Gupta, Advocate for the petitioner.

Mr. Sandeep Khunger Advocate
for respondents No.1 and 2.

Mr. Raman Sharma, Advocate
for the respondents No.5 to 7.

Rajesh Bindal, J.

Challenge is to the order dated 24.09.2014 passed by the learned District Judge, Fatehabad in an application for interim relief filed in an application under Section 9 of the Arbitration and Conciliation Act, 1996, (for short, the Act) whereby interim relief was granted restraining the petitioner from operating petrol pump running in the name of M/s Guru Jambeshwar Service Station, Fatehabad, who had been appointed *ad hoc* dealer on account of some dispute between the partners thereof.

The grievance of the petitioner is that the case was fixed before the learned District Judge, Fatehabad after it was transferred by the learned Additional District Judge, Fatehabad, but without giving effective opportunity of hearing to the petitioner, the application for interim stay was allowed.

Learned counsel for the respondents submitted that there is huge stock of petroleum products lying at the petrol pump which may be permitted to be disposed of.

The next date of hearing before the learned Court below in the application under Section 9 of the Act is stated to be 27.04.2015.

Considering the submissions made by learned counsel for the parties, keeping in view the fact that the grievance of the present

petitioner is against the interim order granted in an application filed under Section 9 of the Act, in which the pleadings are complete and now the case is fixed for arguments before the learned District Judge on 27.04.2015, the present petition is disposed of with a direction to the learned Court below to hear and finally disposed of the application filed by respondents No.1 and 2 under Section 9 of the Act, on the next date of hearing. It is further directed that 7,373 liters of petrol and 5,311 liters of diesel lying in stock with the petrol pump be disposed of under supervision of the officer/official from Hindustan Petroleum Corporation Ltd. The stock of mobil oil and other petroleum products shall be kept as it is.

18.03.2015

Manoj Bhutani

(Rajesh Bindal)
Judge