

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

Civil Revision No.8427 of 2015

Date of decision: 10.12.2015

M/s Swaraj Overseas and another

.....Petitioners

Versus

PUNSUP and others

.....Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. A.P.S. Sandhu, Advocate,
for the petitioners.

Ritu Bahri, J.

Challenge in this petition is to the order dated 30.09.2015 (Annexure P-5) passed by the Additional District Judge, Amritsar, whereby application filed by the applicant-petitioners for directing the witness to produce some records/documents from the office of PUNSUP, has been dismissed.

A perusal of the impugned order shows that after framing of issues, witnesses were summoned and some documents were placed on record. Thereafter, the concerned witness was discharged on 08.01.2015. The petitioner had made an application (Annexure P-3) for directing the witness to produce relevant record for the purpose of deciding the objections. Details of the record(s) have been mentioned in para No.3 of the said application. While dismissing the application, the Court has observed that proceedings to decide an application under Section 34 of the Arbitration and Conciliation Act, 1996 are summary in nature and affidavits of both the

parties are sufficient to conclude the evidence. This aspect has been considered by this Court in **M/s Shiv Shanker Rice Mills, Barnala Vs. Punjab State Cooperative Supply & Marketing Federation Ltd.,** CR No.4567 of 2004 (decided on 02.08.2013). Further, a perusal of para No.3 of the application (Annexure P-3) shows that verification report dated 30.09.2009 shall be in the custody of PUNSUP and the affidavit filed on behalf of PUNSUP would contain the explanation and existence of this document.

At this stage, no ground is made out to interfere in the impugned order. However, the respondents shall consider and explain with regard to the contents of para No.3 of application (Annexure P-3).

Disposed of accordingly.

10.12.2015
ajp

(RITU BAHRI)
JUDGE