

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

FAO No.728 of 1987

Date of decision : 16.09.2015

M/s Fashion Cloth House

...Appellant

Versus

M/s Bombay Traders and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL.

1. Whether reporters of local newspapers may be allowed to see judgment ?
2. To be referred to reporters or not ?
3. Whether the judgment should be reported in the Digest ?

Present: Mr. Suresh Kalia, Advocate for
Mr. K.L. Arora, Advocate for the petitioner.

Mr. Amit Kumar, Advocate for the respondent.

AMIT RAWAL, J. (Oral)

Challenge in the present appeal is to the impugned order dated 06.05.1988 whereby, objections to the application seeking award dated 15.09.1986 as a rule of Court, have been dismissed.

It has been argued that there was no clause in the agreement for appointment of the Arbitrator, yet, the Arbitrator appointed, did not resort to the principles of natural justice as he did not made concerted efforts to serve upon the appellants about the reference. Only one registered notice has been sent, which is stated to have been refused.

He further submits that since there was no arbitration clause,

therefore, remedy if any was to file civil suit and could be decided on the preponderance of the evidence.

Award has been passed on 15.09.1986.

Learned counsel for the appellant submits that there was no interim order with regard to the execution and more than 20 years have already been lapsed. In my view, nothing survives in the present appeal as award becomes unexecutable.

Appeal is disposed of.

16.09.2015

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**(AMIT RAWAL)
JUDGE**