

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

C.R. No.8621 of 2015 (O&M)

Date of Decision.18.12.2015

M/s K.K. Rice and General Mills Dera Baba NanakPetitioner

Vs.

Punjab State Warehousing Corporation and another

.....Respondents

Present: Mr. Sandeep Wadhawan, Advocate
for the petitioners.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers 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?

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K. KANNAN J. (ORAL)

1. The arbitral proceeding which was initiated was contested to be without jurisdiction by appeal filed under Section 37 to the Civil Court of competent jurisdiction. It is stated that the Civil Court allowed the appeal filed by the petitioner finding that the Arbitrator did not have the jurisdiction. Consequently, the petitioner claims that he has filed the civil suit demanding certain reliefs and the respondent has also filed the counter claim before the Court on the basis of the award made by the Managing Director. The grievance now is that the Arbitrator is still heading with the proceedings unfettered by the order already passed by the Civil Court. If a suit is instituted consequent upon the petitioner's appeal being allowed, it will be the Court of such competent jurisdiction who can also issue interim orders if any action is taken by the Arbitrator. If petitioner moves such application before the Civil Court, the same will be considered after serving notice on the other side

and hearing objections.

2. The revision petition is disposed of with the above directions.

(K. KANNAN)
JUDGE

December 18, 2015
Pankaj*