

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

FAO No. 3072 of 2010(O&M)
Date of decision : August 10, 2015

The Punjab State Civil Supplies Corporation Ltd. and another

..... Petitioner

Versus

M/s Jai Shiv Bhole Rice Mill and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Ms. Deepali Puri, Advocate
for the appellants.

None for the respondents.

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?

Amit Rawal, J .

The present appeal has arisen against the order dated 14.9.2009 whereby the objections filed by the appellant against the award dated 10.4.2006 passed by the Arbitrator has been dismissed. It is a matter of record that the award has been answered against the appellant on the premise that the agreement in question was not signed by the parties.

The Arbitrator by taking into consideration the provisions of Section 7 of Arbitration and Conciliation Act, 1996 (hereinafter called as 'the Act') held that the agreement was unilateral and dismissed the reference. The objections filed against the aforesaid award have also met the same fate.

There is no denial that the agreement dated 29.8.2001 had not been signed by the parties and being unilateral of the terms and conditions the same could not be enforced. Rightly so the reference has been declined.

Keeping in view the aforementioned facts, there is no illegality as it is a settled law that provisions of Section 7(3) of the Act are lacking compliance, there is no merit in the appeal.

Accordingly the appeal is dismissed.

(AMIT RAWAL)
JUDGE

August 10 , 2015
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