

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

F.A.O.No.4537 of 2010 (O&M)

Date of Decision: September 03, 2015

The Punjab State Cooperative Supply and Marketing Federation Limited

...Appellant

Versus

M/s Gurpreet Rice Mills, Muktsar through its Proprietor

...Respondent

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL, JUDGE

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?

Present: Ms.Sushma Chopra, Advocate,
for the appellant.

Mr.Mukand Gupta, Advocate,
for the respondent.

AMIT RAWAL, J. (Oral)

The challenge in the present appeal is to the order dated 17.2.2010 passed by the Additional District Judge, Muktsar, whereby the objections filed by the appellant against the award dated 21.6.2004, have been dismissed being time barred.

The Markfed had sought the reference before the Arbitrator, who declined the reference vide award dated 21.6.2004. The objections have been filed beyond the period prescribed under proviso to Section 34 of the Arbitration and Conciliation Act, 1996 (for short "the Act"). The limitation is 90 days plus another 30 days in case an application, duly

accompanied by an affidavit, is filed for seeking condonation of delay of 30 days.

In the instant case, the objections have been filed beyond 120 days and, therefore, the provisions of Limitation Act are not applicable, particularly when the limitation has been provided under Section 34 of the Act. The Court below has rightly dismissed the objections being barred by limitation as the provisions of the Limitation Act, 1963 would not be applicable.

There is no perversity in the order under challenge, much less, no interference is warranted.

The appeal is accordingly dismissed.

September 03, 2015
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(AMIT RAWAL)
JUDGE