

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

LPA No.1635 of 2010

Date of Decision:23.12.2015

Sushil Singhal

... Appellant

Versus

Punjab State Industrial Development Corporation Ltd. & another

... Respondents

**CORAM : HON'BLE MR.JUSTICE AJAY KUMAR MITTAL
HON'BLE MR.JUSTICE G.S. SANDHAWALIA**

Present : Mr.Rahul Sharma-I, Advocate, for the appellant.

Mr.Ashwani Talwar, Addl.A.G., Punjab
and Mr.Sunil Kumar Vashisht, AAG, Punjab.

Mr.Samarth Sagar, Advocate, for PSIDC.

G.S. Sandhawalia , J.

The present Letters Patent Appeal is directed against the order dated 06.09.2010, passed by the Learned Single Judge, whereby liberty has been granted to raise all the pleas before the Arbitrator, as to whether the petitioner has discharged the entire loan liability under the One Time Settlement Scheme (for short, the 'OTS') arrived at between him and the respondent-Corporation.

The case of the appellant revolves around the fact that he had already paid under the OTS, arrived between him and the Corporation but the Corporation, now, was backing out from the said agreement entered into, on account of the fact that the OTS had been withdrawn in terms of the notification dated 06.02.2009, in view of the fact that the Financial Collaboration Agreement was pertaining to the profit making companies.

For the detailed reasons given in CWP No.8338 of 2009 titled *V.K.Indrayan Vs. State of Punjab & another*, the present Letters Patent Appeal is also disposed of in the same terms, setting aside the order dated 06.09.2010, passed by the Learned Single Judge. In case the appellant has also paid the whole amount under the OTS agreement, the respondent-Corporation be barred from proceedings ahead with the arbitration proceedings.

With the above observations, the present Letters Patent Appeal stands allowed.

(G.S. SANDHAWALIA)
JUDGE

(AJAY KUMAR MITTAL)
JUDGE

DECEMBER 23, 2015
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