

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

1. FAO No.3880 of 2013 (O&M)
Date of decision : 24.09.2015

Housing Board, Haryana

...Appellant

Versus

Tejpal Verma & another

...Respondents

2. FAO No.3881 of 2013 (O&M)
Date of decision : 24.09.2015

Housing Board, Haryana

...Appellant

Versus

Tejpal Verma & 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. Ashwani Talwar, Advocate for the appellant.

Mr. P.S. Rana, Advocate for respondent No.1.

AMIT RAWAL, J. (Oral)

This order of mine shall dispose of two appeals bearing FAO
No.3880 of 2013 & FAO No.3881 of 2013, titled as Housing Board,

Haryana Vs. Tejpal Verma and another.

In FAO No.3880 of 2013, the Arbitrator has awarded a sum of ₹6,34,077.04 paise along with 4% p.a.. Aggrieved against the aforementioned award, Housing Board as well as the Contractor filed objections under Section 34 of the Arbitration and Conciliation Act, 1996. The objection filed by the Housing Board was dismissed, whereas cross objection by Contractor had been partly allowed whereby awarded interest, has been increased to 9%. In FAO No.3881 of 2013, the Arbitrator has passed the award in favour of Housing Board, whereby compensation of ₹2,23,054.66 paise along with 4% interest has been granted.

Both the parties challenged the aforementioned award by filing objections but the same have been dismissed. Only Housing Board has assailed the impugned order, whereby contractor has not challenged the order passed by the Objecting Court.

Mr. Ashwani Talwar, learned counsel appearing on behalf of appellant submits that Housing Board should be treated at par with the Contractor vis-a-vis the awarding of the interest.

Mr. P.S. Rana, learned counsel appearing on behalf of respondent No.1 submits that Contractor has no objection in case interest awarded by the Arbitrator is increased from 4% to 9% in FAO No.3881 of 2013.

In view of statement made by Mr. P.S. Rana, Advocate for the respondent No.1, I do not deem it appropriate to ponder upon merits and demerits of the matter. In FAO No.3881 of 2013, Mr. P.S. Rana, Advocate had already made a statement, therefore, appeal bearing No.3881 of 2013,

whereby challenge is only confined to increase interest from 4% to 9%, is allowed.

I do not deem it appropriate to reduce interest in view of the provision of Order 31 Rule 7 of the Arbitration and Conciliation Act, 1996 in FAO No.3880 of 2013 and same is hereby dismissed.

24.09.2015

pawan

**(AMIT RAWAL)
JUDGE**