

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

FAO No.4540 of 2013 (O&M)

Date of Decision: March 20, 2015

M/s CHD Elite Realtech Pvt. Ltd.

.... Appellant

vs.

Mr. Pawan Bhatia and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Sanjay Vij, Advocate for the appellant.

Mr. Vinod Bhardwaj, Advocate for the respondents.

1. Whether Reporters of Local Newspapers 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?

Kuldip Singh J.(Oral)

It is not disputed that after the dismissal of the application under Section 9 of the Arbitration and Conciliation Act, 1996 (in short 'the Arbitration Act'), an Arbitrator has been appointed during the pendency of the present appeal and he is seized of the matter.

It being so, the appellant shall be at liberty to raise all the objections before the Arbitrator by moving an application under Section 17 of the Arbitration Act. The application, if so moved, shall be disposed of in accordance with law. The appellant can avail any remedy against the order passed on the application under Section 17 of the Arbitration Act before any other Forum also.

The present appeal is accordingly disposed of.

**(KULDIP SINGH)
JUDGE**

March 20, 2015
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