

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

**FAO No.5379 of 2013 (O&M)
Date of Decision: July 09, 2015**

Punjab State Civil Supplies Corporation Limited Appellant

vs.

M/s Satgur Rice Mills and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Aman Chaudhary, Advocate for the appellant.

- 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)

CMs-22882 and 22883-CII-2013

There is delay of 21 days in refiling and 47 days in filing the present appeal.

For the reasons mentioned in the application supported by an affidavit, delay of 21 days in refiling and 47 days in filing the present appeal is condoned subject to all just exceptions.

Applications stand disposed of.

FAO-5379-2013

Impugned in the present appeal is the order dated 12.12.2012 passed by learned Addl. District Judge, Patiala, whereby the application for condonation of delay in filing the petition under Section 34 of the Arbitration and Conciliation Act, 1996 (in short 'the Arbitration Act') was dismissed.

Learned counsel for the appellant contends that learned Addl. District Judge, Patiala dismissed the objections of the appellant under Section 34 of the Arbitration Act on the ground that there is unexplained delay of 151 days.

It has been argued that there were 396 days' delay and the appellant was able to explain the same. However, delay of 151 days could not be explained.

A perusal of Section 34, sub Section 3 of the Arbitration Act shows that under the said Act, the Award can be challenged within three months. It being satisfied for sufficient cause, the Court can grant extension of 30 days but not thereafter. It would mean that the Court was not competent to grant any extension beyond said 30 days.

It being so, there is no illegality in the impugned order. Consequently, the present appeal stands dismissed.

July 09, 2015
sarita

(KULDIP SINGH)
JUDGE