

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

**FAO No.7129 of 2015 (O&M)
Date of decision: 21.10.2015**

Amritsar Improvement Trust, Amritsar ... Appellant

Vs.

Sunil Talwar and 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:- Ms. Manjit Kaur, Advocate
for the appellant.

AMIT RAWAL J. (Oral)

Challenge in the present appeal is to the impugned order dated 03.07.2015, whereby, the objections filed under Section 34 of the Arbitration and Conciliation Act, 1996, against the award dated 02.05.2005, have been dismissed on the ground of delay.

Learned counsel appearing on behalf of the appellant submits that certified copy of Award was obtained on 13.03.2008 through its counsel at Jalandhar as the Improvement Trust was not aware of the factum of award.

I have heard learned counsel for the appellant and appraised the impugned order, as well as, award.

From the perusal of the award, it is evident that Arbitrator

had specifically mentioned that award was to be communicated to the parties through their counsel. After expiry of three years, I am of the view that Improvement Trust was wholly callous and lackadaisical in pursuing the matter diligently. Had the award been ex parte, it could be understood that the knowledge of the award was acquired on the date when the execution of the same was filed. The instant case was not such kind, where the Improvement Trust can be permitted to take shield in submitting the application for certified copy after three years of award.

I do not differ with the findings rendered by the Additional District Judge, whereby, the objections have been dismissed, being wholly time barred.

There is no merit in the appeal. Accordingly, the same is hereby dismissed.

**(AMIT RAWAL)
JUDGE**

October 21, 2015
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