

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

FAO No.8745 of 2014 (O&M)

Date of decision: 26.05.2015

Punjab Agro Industries Corporation Ltd.

..... Appellant

versus

Somwati and others

..... Respondents

CORAM: Hon'ble Mr. Justice Kuldip Singh

Present: Mr. Anupam Singla, 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)

Impugned in the present appeal is the order dated 3.3.2014, passed by the learned Additional District Judge, Sangrur, vide which objections filed by the appellant under Section 34 of the Arbitration and Conciliation Act, 1996, against the award dated 25.4.2008 were dismissed.

Learned counsel for the appellant has contended that in this case there was a short supply of paddy and that against the quantity of short supply mentioned by the appellant, some other quantity has been found by the Arbitrator against the record. It is further contended that for the deficiency the rate of the rice has been taken to be Rs.601.10 per quintal, at which rate the rice was auctioned by the appellant, whereas the FCI rate was different. I am

of the view that the Arbitrator has given one line of reasoning. Under Section 34 of the Arbitration and Conciliation Act, 1996, this Court cannot substitute its reasoning with the reasoning of the Arbitrator. The Arbitrator has considered all the documents and passed the reasoned award. There is no prima facie illegality or infirmity in the same. Challenge is not covered under any of the grounds mentioned under Section 34 of the the Arbitration and Conciliation Act, 1996. Therefore, I do not find any merit in the present appeal and the same is accordingly dismissed.

25.05.2015*gk***(Kuldip Singh)
Judge**