

115.

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

Civil Revision No.2876 of 2016 (O&M)

Date of decision:26.04.2016

Salauddin

... Petitioner

versus

Abhinash Meena

.... Respondent

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Rajesh Lamba, Advocate,
for the petitioner.

1. Whether reporters of local papers may be allowed to see the judgment ? No.
2. To be referred to the reporters or not ? No.
3. Whether the judgment should be reported in the digest ?No.

K.Kannan, J. (Oral)

1. Pursuant to an arbitral award, the vehicle was sought to be seized for recovery of the amount. The person in possession who had borrowed money from the financier filed a suit for injunction and sought for interim relief that the seizure is sought to be effected without serving notice. It is also the contention that the petitioner-plaintiff has paid some money which has not been given credit. These objections must have been taken before the arbitral award was passed and before the Arbitrator and not post the award. The plaintiff had no prima facie case to secure the relief of injunction to scuttle the award passed. Unless the award itself is set aside under

Section 34 of the Arbitration Act or any known process of law, an injunction cannot be obtained in a suit. There is no prima facie case for such a relief of injunction.

2. If the courts below have declined relief of injunction, I find no scope for interference in revision. Revision petition is dismissed.

(K.KANNAN)
JUDGE

26.04.2016
sanjeev