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

**C.R. No.3163 of 2016 (O&M)
Date of Decision : 05.05.2016**

M/s Dhillon Rice Mill

..... Petitioner

Versus

Punjab Agro Food Grain Corporation Limited and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. D.K. Singal, Advocate
for the petitioner.

1. Whether Reporters of local papers 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?

AJAY TEWARI, J. (Oral)

This revision petition has been filed against an interim order dated 25.02.2016 in a pending application under Section 34 of the Arbitration and Conciliation Act, 1996.

Brief facts of the case are that the petitioner had taken rice from the Mill-respondent No.2. Ultimately the respondent No.1 alleged that the petitioner had not given the contracted yield. The matter was referred to arbitration and an award was passed in favour of the respondent No.1. It

was challenged by the petitioner under Section 34 of the Arbitration and Conciliation Act, 1996. During the pendency of the application various interim orders were passed whereby the Court made arrangements for the disposal of the rice and the paddy, since they are both perishable items. At one stage the Court had directed the officers of the respondent No.1 to ensure that the entire remaining stock was sold, but even after selling 4625.50 quintals of rice and 127.25 quintals of paddy some other stocks were lying there. The Court had directed the officers of the respondent No.1 to verify and compute the account of stock lying there but that was not done. Resultantly by the impugned order the Court directed the Managing Director of respondent No.1 to fix responsibility on the officers for not having verified and accounted the remaining stocks and further directed him to now appoint two responsible officers working under him for completion of process of counting of stock already lying unaccounted in the premises of the petitioner, at the expense of petitioner-company. It is this part of the impugned order which has been challenged by the petitioner by way of present revision.

Learned counsel for the petitioner has argued that expense for accounting the stock could not have been placed upon the petitioner.

In my opinion, it is merely an interim order and at the time of disposal of the application under Section 34 of the Arbitration and Conciliation Act, 1996 the Court will give its final ruling whether this expense had to be at the cost of the petitioner or the respondents. Consequently, I find no ground to interfere at this stage.

Revision petition is dismissed.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

May 05, 2016

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**(AJAY TEWARI)
JUDGE**