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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO-3762-2010 (O&M)

Date of decision : 23.08.2016

Punjab State Civil Supplies Corporation Ltd. and another

... Appellants

Versus

M/s Bhiwani Rice Mills and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Ms. Suman Devi, Advocate for
Ms. Deepali Puri, Advocate
for the appellants.

Mr. Anupam Singla, Advocate
for the respondent(s).

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?

AMIT RAWAL, J. (ORAL)

The appellants-Punjab State Civil Supplies Corporation Ltd. is aggrieved of the impugned order dated 12.01.2010, whereby the objections filed under Section 34 of the Arbitration and Conciliation Act, 1996 (hereinafter called 'the 1996 Act') for setting aside the Award dated 22.07.2005, have been dismissed.

The claim was primarily based upon the instructions issued by the Government of Punjab on 06.06.2000. This Court had already pondered upon the applicability of the instructions in the appeals bearing **FAO No.446 of 2016** titled as **“Punjab State Cooperative Supply & Marketing**

Federation Ltd. Chandigarh V/s M/s Shri Jagdamba Rice Mills through Munish Kumar Partner and another decided on 02.05.2016 and *FAO No.806 of 2009* titled as *“Punjab State Civil Supplies Corporation Ltd. Chandigarh and another V/s Rajinder Kumar and another”* decided on 22.01.2016, wherein it has been held that the terms and conditions of the agreement cannot be superseded by the instructions.

During the course of the argument, Mr. Anupam Singla, learned counsel appearing on behalf of the respondent(s) has also drawn the attention of this Court to the decision dated 27.05.2016 passed by this Court in *CWP No.10842 of 2015* titled as *“M/s Sant Attar Singh Rice Mills V/s State of Punjab and others”*, whereby the judgments rendered in the appeals aforementioned has been affirmed.

Keeping in view the aforementioned facts and circumstances, no ground is made out for interference and accordingly, the appeal is dismissed.

23.08.2016
yogesh

(AMIT RAWAL)
JUDGE

✓
Whether speaking/reasoned Yes/ No
✓
Whether Reportable Yes/ No