

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

FAO No.3895 of 2012 (O&M)
Date of decision : 15.11.2016

M/s Inder Rice Mills

...Appellant

Versus

Punjab State Cooperative Supply and Marketing Federation Limited and
ors.

..Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL.

Present: Mr. R.K. Girdhar, Advocate for the appellant.

Mr. B.S. Sudan, Advocate for
Mr. P.S. Sekhon, Advocate for respondent Nos.1 and 2.

AMIT RAWAL, J. (Oral)

The appellant-Miller is aggrieved of the findings rendered by
Objecting Court, whereby while setting aside the arbitration award in part
regarding the certain claims of the MARKFED being falling under the
excepted clause, had given the liberty to the Managing Director to take
action in accordance with law.

Mr. R.K. Girdhar, learned counsel appearing on behalf of
appellant informs the Court that in pursuance of the aforementioned action,
civil suit has been filed. Though appellant would be taking all the objection
available in law but the findings of the objecting Court should not come in

its way.

Mr. B.S. Sudan, Advocate for Mr. P.S. Sekhon, learned counsel appearing on behalf of respondent Nos.1 and 2, submits that once civil suit is filed, the appellant shall be at liberty to take all pleas in accordance with law. There is no illegality and perversity in the order under challenge.

I have heard learned counsel for the parties and appraised the paper book and of the view that once the civil suit has already been filed, liberty is granted to the appellant to take all the pleas in accordance with law. Civil Suit be decided uninfluenced with the findings given by the Objecting Court.

Accordingly, present appeal is disposed of, in aforementioned terms.

15.11.2016

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**(AMIT RAWAL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No