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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

Date of decision : 30.03.2016

1. FAO-10209-2014 (O&M)

Union of India and another

...Appellants

Versus

Brij Mohan and others

...Respondents

2. FAO-8681-2014 (O&M)

Union of India and another

...Appellants

Versus

Gurnam Singh and other

...Respondents

**CORAM: HON'BLE MR. JUSTICE AMIT RAWAL**

Present: Mr. R.S. Madan, Advocate  
for the appellant(s)-Union of India.

Mr. Vishal Aggarwal, Advocate  
for respondent No.1 ( in FAO-10209-2014).

Mr. Vivek K. Thakur, Advocate  
for respondent No.1 (in FAO-8681-2014).

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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)**

This order of mine shall dispose of two appeals bearing **FAO**

No.10209 of 2014 titled as “Union of India and another V/s Brij Mohan and others” and FAO No.8681 of 2014 titled as “Union of India and another V/s Gurnam Singh and other”, filed at the instance of the Union of India, whereby the objections filed under Section 34 of the Arbitration and Conciliation Act, 1996 (hereinafter called 'the 1996 Act') for setting aside of the Award have been dismissed for want of limitation.

Mr. R.S. Madan, learned counsel appearing on behalf of the appellant(s)-Union of India, submits that the limitation period would commence from the date of the receipt of the copy of the Award which was received on 25.08.2011 and therefore, objections filed were filed within the period of limitation. The Objecting Court has committed illegality and perversity in dismissing the objections being barred by law of limitation.

I have heard the learned counsel for the appellant(s)-Union of India and appraised the paper book and of the view that the objections have been filed beyond 120 days i.e. 90 days + 30 days (grace period), as the objections were not accompanied by the application seeking condonation of delay, much less, any affidavit. In view of the aforementioned facts, no occasion arose to condone the delay, in the absence of any explanation as to acquisition of knowledge with regard to the passing of Award dated 25.07.2011 on 25.08.2011 and the parties to the *lis* participated in arbitration proceedings.

Keeping in view the aforementioned facts and circumstances, I am of the view that reasons assigned by the Objecting Court are as per the settled law and also as per the provisions of Section 34 of the 1996 Act.

No interference is warranted and accordingly, the Award of the Arbitrator is upheld.

The appeals stand dismissed.

**30.03.2016**  
yogesh

**( AMIT RAWAL )  
JUDGE**