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

FAO-2389-2013 (O&M)
Date of decision : 15.01.2016

The Punjab State Civil Supplies Corporation Ltd. and another

...Appellants

Versus

Khazanchi Lal and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

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

Mr. Satish Goyal, Advocate
for the respondent No. 1.

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)

CM-11228-CII-2013

For the reasons mentioned in the application, the delay
of 57 days in filing the appeal is condoned.

CM stands disposed of.

FAO-2389-2013

The appellants are against the order dated

05.12.2012, 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 15.02.2007, have been dismissed.

Ms. Deepali Puri, learned counsel appearing on behalf of the appellants submits that objections have been dismissed being barred by law of limitation as originally objections were filed by invoking the jurisdiction of the Principle Court at Chandigarh and the same were returned on 10.02.2008 and were representing before the competent Court having territorial jurisdiction on 25.11.2008, therefore, the Objecting Court ought to have given the benefit of Section 14 of the Limitation Act.

Mr. Satish Goyal, learned counsel appearing on behalf of the respondent No. 1 submits that the objections were filed on the 90th day, even by taking the benefit of another 30 days as per the proviso of sub-Section 3 of Section 34 of the Act, and the same were not within the limitation period as such objections were filed after a lapse of 45 days and rightly so, the objections have been dismissed.

I have heard the learned counsel for the parties and appraised the paper book.

Even by giving the benefit of Section 14 of the Limitation Act, in my view the objections re-filed in the competent Court having jurisdiction at Sangrur, were barred by law of limitation as the same were not filed within the period of

30 days, as the limitation of filing the objections is 90 days + grace period of 30 days and total is 120 days. As noticed above, the objections have been filed at Sangrur on 25.11.2008 beyond the period of another grace period of 30 days being 45th day, rightly so, the objections have been dismissed.

No ground is made out for interference, much less, no merit in the appeal and the same is dismissed.

15.01.2016
yogesh

(AMIT RAWAL)
JUDGE