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

FAO-2578-2013 (O&M)

Date of decision : 20.05.2016

Jaswinder Kaur

... Appellant

Versus

District Manager, PUNSUP and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Dinesh Nagar, Advocate
for the appellant.

Mr. I.S. Sidhu, Advocate
for the respondent(s)-PUNSUP.

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 appellant-tenderer is aggrieved of the dismissal of the objections filed under Section 34 of the Arbitration and Conciliation Act, 1996 (hereinafter called 'the 1996 Act') seeking setting aside of the Award dated 16.11.2002.

Mr. Dinesh Nagar, learned counsel appearing on behalf of the appellant submits that the owing to wrong legal advice instead of filing the objections, an appeal was filed on 08.09.2005, but the same was dismissed being not maintainable and thereafter, objections under Section 34 of the 1996 Act were filed, but the same have been dismissed being barred by law of limitation.

The fact remains that had the appeal been filed within the period of 90 days from the date owing to the dismissal of the appeal and accompanied by an application for condonation of delay, perhaps the Court could have been given the benefits of the provisions of Section 14 of the Indian Limitation Act. It is not a case that the appellant was not aware of the passing of the Award, but availed the wrong remedy, therefore, objections filed in the year 2005 of course, are barred by law of limitation, rightly so, the same have been dismissed.

Keeping in view of the aforesaid facts and circumstances of the case, no ground is made out for interference in the impugned order, under challenge and accordingly, the appeal is dismissed.

20.05.2016
yogesh

(AMIT RAWAL)
JUDGE