

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

**FAO-5843-2013 (O&M)
Date of decision : 11.04.2016**

Punjab State Civil Supplies Corporation Ltd. and another

...Appellants

Versus

M/s Friends Rice and General Mills Malout and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Anil Kumar Sharma, Advocate and
Mr. Ajay Pal Singh, Advocate
for the appellants.

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 are aggrieved of the dismissal of the objections filed under Section 34 of the Arbitration and Conciliation Act, 1996 (hereinafter called 'the 1996 Act') being barred by law of limitation. Though the finding arrived at by the Arbitrator, on merits, in the matter has been disbelieved.

Mr. Anil Kumar Sharma, learned counsel appearing on behalf of the appellants submits that Once, the Objecting Court has given a finding with regard to the setting aside of the Award of the Arbitrator, limitation should not come in its way.

I have heard the learned counsel for the appellants and appraised the paper book. It is also a matter of record that firstly, the objections have been filed before the Court of District Judge, Chandigarh and the same were returned and thereafter, filed before the Court of District Judge, Muktsar Sahib. The Award of the Arbitrator, having been passed in the presence of the parties, was pronounced on 06.12.2005, whereas the objections were filed after a gap of 4 ½ years on 15.05.2009. No explanation has come forward as to whether the copy of the Award was ever supplied and the limitation has to start from the date of the receipt of the Award, much less, despatch, in the absence of the same, rightly so, the objections have been dismissed.

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

11.04.2016
yogesh

(AMIT RAWAL)
JUDGE