

**IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH**

**FAO No. 7823 of 2015(O&M)**  
**Date of decision : February 1, 2016**

**Amritsar Improvement Trust, Amritsar**

**..... Appellant**

**Versus**

**Durga Dass Seth and another**

**..... Respondents**

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

Present:- Mr. Vinay Kumar, Advocate  
for the appellant.

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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).**

The appellant is aggrieved of the order dated 15.7.2015 whereby objections filed under Section 34 of the Arbitration and Conciliation Act, 1996 for setting aside of the award dated 7.12.2009 has been dismissed.

Learned counsel appearing on behalf of the appellant submits that the objections were well within the period of limitation. There is an error apparent on record that the objecting court has committed illegality and perversity in mis-calculating the period and dismissed the same being barred by law of limitation.

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

Ex facie the objections have been filed beyond 90 days plus 30 days totaling 120 days. It is well settled that under

Section 5 of the Limitation Act, 1963, the objections ought to have been filed within 90 days. In essence, objections have to be filed within 90 days and if late within next 30 days accompanied by an application duly explaining the reasons for not filing the same within 90 days. However, such reasons are conspicuously absent in the application.

I do not intend to differ with the finding rendered by the objecting court which is based on appreciation of oral and documentary evidence. I do not find any illegality or perversity in the aforementioned order of the objecting court.

In view of what has been observed above, the appeal is devoid of merits, accordingly, the same is dismissed.

**(AMIT RAWAL)**  
**JUDGE**

**February 1 , 2016**  
**archana**