

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

CR No.4242 of 2017(O&M)
Date of Decision: 11.07.2017

J & K ECONOMIC RECONSTRUCTION AGENCY

-PETITIONER

VS

M/S ISHAN DEVELOPERS AND INFRASTRUCTURE LIMITED
-RESPONDENT

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Rahul Sharma, Advocate
for the petitioner.

Mr. Puneet Jindal, Sr. Advocate with
Ms. Shreya Vasishtha, Advocate
for the respondent.

RAJ MOHAN SINGH, J. (ORAL)

CM No.14187-CII of 2017

For the reasons mentioned in the application, the
same is allowed.

Accompanying affidavit is taken on record.

CM No.14304-CII of 2017

For the reasons mentioned in the application, the
same is allowed.

Accompanying documents are taken on record.

Main case

Without deliberating upon rival contentions of the
parties, at this stage, it would be appropriate to appreciate that
after passing the order dated 03.07.2017 by this Court, staying
the execution till the next date of hearing i.e. 05.07.2017, the

petitioner filed an application under Section 36(3) of the Arbitration and Conciliation Act, 1996 (for short 'the Act) for staying the operation of the impugned award dated 24.03.2017 before the Additional District Judge, Mohali. The said application was filed on 06.07.2017 i.e. 3 days after the order dated 03.07.2017 passed by this Court.

Both the parties are *ad idem* that in case the pending application is decided by the Additional District Judge, Mohali, either way, this revision petition will become infructuous.

At this stage, without commenting upon merits of the case, I direct the Additional District Judge, Mohali to decide the pending application under Section 36(3) of the Act forthwith i.e. positively by 14.07.2017. Respondent undertakes to file reply to the said application on or before 13.07.2017 in any case. In the event of deciding the application on 14.07.2017, both the parties would be having their right of remedy in accordance with law.

Disposed of.

11.07.2017
Prince

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No