

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

135

CR No.4795 of 2017
Date of decision: 25.07.2017

Gurbux Singh

..... Petitioner

Versus

Punjab State Warehousing Corporation Ltd.
and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Tribhawan Singla, Advocate
for the petitioner.

ANIL KSHETARPAL, J. (ORAL)

Judgment debtor is in revision petition against the order dated 03.01.2017 by which the application for setting aside ex parte order dated 26.02.2013 has been dismissed.

It is the case of the petitioner that in an arbitration proceedings, award was passed on 26.04.2012. Award being equivalent to the decree of the Court execution petition was filed. Judgment debtor was proceeded against ex parte on 26.02.2013.

One of the partner of M/s Golden Rice & Agro Products filed objections under Section 34 of the Arbitration and Conciliation Act, 1996. The aforesaid objections was dismissed by the Court.

Executing Court is bound by the decree. The Court is proceeding to execute the decree. Petitioner was only proceeded ex parte. Petitioner is free to participate the proceedings henceforth.

Learned counsel for the petitioner has submitted that the

petitioner want to file the objections. Objections are maintainable under Section 34 of the Arbitration and Conciliation Act, 1996. The objections are not to be filed in execution petition. Objections are separately maintainable.

For the reasons recorded above, I do not find any ground to interfere with the order passed by the trial Court dated 03.01.2017.

Revision petition is dismissed.

25.07.2017

Dinesh Bansal

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No