

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

CR No.7057 of 2015 (O&M)

Date of decision:19.9.2017

Agarwal Auto Traders, Ram Nagar Road, KashipurPetitioner

VERSUS

**Standard Agriculture Works, Bhatinda Road, Barnala
.....Respondent**

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Pritam Singh Saini, Advocate for the appellant.

Mr. P.S. Dhaliwal, Advocate for the respondent.

REKHA MITTAL, J.(Oral)

The present petition directs challenge against order dated 24.08.2015 passed by the Civil Judge (Junior Division) Barnala whereby application of the petitioner under Section 8 of the Arbitration and Conciliation Act, 1996 (in short 'the Act') for referring the parties to arbitration has been dismissed.

Counsel for the parties are ad idem that the present petition may be disposed of, impugned order may be set aside with a direction to the trial Court to decide the application filed by the petitioner after framing of an issue and permitting the parties to adduce evidence.

In view of the above, the present petition is disposed of. The impugned order is set aside and the matter is remitted to the trial Court for decision of the application under Section 8 of the Act afresh after framing of an issue and permitting the parties to adduce evidence in support of their respective claims. The trial Court shall decide the application within a period of three months from the parties putting in appearance on 04.10.2017.

SEPTEMBER 19, 2017
'D. Gulati'

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No