

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR No.7366 of 2017 (O&M)

Date of Decision:- 04.12.2017

M/s G.R.Rice and General Mills & Ors.

.....Petitioners

Versus

Punjab State Civil Supplies Corp. Ltd. And Ors.

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr.Mukand Gupta, Advocate, for the petitioners.

Ms.Deepali Puri, Advocate, for the respondents.

RITU BAHRI, J. (Oral)

Petitioner has come up in revision for quashing the order dated 10.10.2017 (Annexure P/13) whereby the application moved by petitioner under Section 27 of the Arbitration and Conciliation Act, 1996 to take assistance for taking evidence, has been dismissed.

A perusal of the application shows that petitioner wanted to produce documents to show business relationship i.e. rent agreement between the family of the Arbitral Tribunal and the claimant-corporation and after taking application Arbitrator adjourned the case for 10.10.2017 for reply and consideration. After filing the reply by the PUNSUP to the abovesaid application, without considering the same, Arbitrator in a biased manner rejected the application. In paragraph 7 of the application, petitioner had produced documents Ex.R-1 to R-26 which include certain official documents and information regarding deposit of interest in the corporation. The documents Ex.R-1 to R-26 shows that Government of India has already paid interest to the PUNSUP up to 30.09.2013 which fact was concealed by the Arbitrator. Since, the respondents have received interest, they cannot not be claimed from the petitioner. In this case on 30.10.2017, Ms.Deepali Puri, Advocate, had appeared on behalf of respondent-corporation and stated that a new Arbitrator had been appointed by the corporation without admitting to the allegations against

the earlier Arbitrator.

Since new Arbitrator has been appointed at this stage, petitioner shall be at liberty to prove the documents Ex.R1 to R26 in accordance with law. PUNSUP either can deny or admit these documents, necessary evidence can be led by the petitioner with regard to the documents Ex.R1 to R26. With this modification, the revision petition is being disposed of.

04.12.2017
anil

(RITU BAHRI)
JUDGE

<i>Whether speaking/reasoned :</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>