

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

FAO No.3959 of 2013 (O&M)

Date of Decision : 10.07.2017.

M/s PKS Engineers Pvt. Ltd. and another

.....Appellants

Versus

Punjab State Power Corporation Limited and others

..... Respondents

CORAM : HON'BLE MR.JUSTICE ARUN PALLI

Present : Mr. Akshay Bhan, Sr. Advocate with
Mr. Gurinder S. Sandhu, Advocate for the appellants.

None for respondents No.1 to 3.

ARUN PALLI, J. (Oral)

Learned Senior counsel for the appellants submits that the dispute herein arises out of an application under Section 9 of the Arbitration and Conciliation Act, 1996, which was dismissed by the Additional District Judge, vide impugned order and judgment dated 25.05.2013. He submits that in terms of the contract assigned to the appellants certain transformers were required to be installed within a period of 4 months from the date of the agreement i.e. 31.08.2012. However, the contract was cancelled on 21.03.2013. He submits that in all probabilities the matter is rendered infructuous, which is why even the appellants have not contacted his office for quite a while.

In view of the above, the appeal is disposed of as having become infructuous. However, in the event, any dispute, cause of action or interest still survives the appellants shall be at liberty to move an application for restoration of the appeal for its decision on merits.

10.07.2017

Manoj Bhutani

**(ARUN PALLI)
JUDGE**

Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No