

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

233

**FAO No.446 of 2017(O & M)
Date of Decision:28.04.2017**

Punjab State Civil Supplies Corporation Limited, Kapurthala

....appellant

Versus

M/s Rama Krishna Rice and General Mills, Kapurthala

.....respondent

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Aman Sharma, Advocate
for the appellant

ARUN PALLI, J. (ORAL):

This is an appeal against the arbitral award dated 20.06.2011, as also the impugned judgment dated 20.07.2016 rendered by the Additional District Judge, Kapurthala, vide which the objections preferred by the appellant under Section 34 of the Arbitration and Conciliation Act, 1996, (for short, 'the Act')were dismissed.

All what was awarded by the arbitral Tribunal to the respondent-claimant was a simple interest @ 12% per annum, on the amount of ₹ 1,39,875/-, for the post-award period till payment of the amount due to the claimant. Concededly, the copy of the arbitral award dated 20.06.2011 was received by the appellant on 24.06.2011. Whereas, the objections under Section 34 of the Act were preferred on 06.02.2012. Indisputably, in terms of Section 34(3) of the Act, the limitation to file objections against the arbitral award is three months from the date of

receipt of the copy of the award. Which is extendable by a further period of 30 days, provided the court is satisfied that the applicant was prevented by a sufficient cause from filing the objections within the said period. But, in the present case, the objections were filed on 06.02.2012, i.e. after over seven months of the receipt of the award. Thus, these were apparently barred by time.

That being so, the only and the inevitable conclusion, the learned Additional District Judge could arrive at, was to dismiss the objections.

On being pointedly asked, learned counsel for the appellant could not point out as to how the conclusions arrived at by the Court below was either contrary to the record or suffered from any material illegality.

That being so, no interference is warranted. The appeal being devoid of merit is accordingly dismissed.

April 28, 2017
neenu

(ARUN PALLI)
JUDGE

Whether speaking/reasoned	Yes/No.
Whether reportable-	Yes/No