

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

FAO-CARB-2-2017 (O&M)

Date of decision:- 06.09.2017

United India Insurance Company Ltd.

...Appellant

Versus

Nectar Lifesciences Limited and others

...Respondents

CORAM: HON'BLE MR. JUSTICE S.J. VAZIFDAR, CHIEF JUSTICE
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present:- Mr. Vineet Malhotra, Advocate,
Mr. Vishal Gohri, Advocate,
for the appellant.

Mr. Ashok Aggarwal, Senior Advocate,
with Mr. Atul V. Sood, Advocate,
for the caveator-respondent No. 1.

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S.J. VAZIFDAR, C.J. (ORAL)

CM-4-FCARB-2017

For the reasons stated in the application, the delay of 23 days in refiling the appeal is condoned.

The application stands disposed of.

FAO-CARB-2-2017

This is an appeal against the order of the learned Additional District Judge-I, Commercial Court, Chandigarh dated 17.04.2017 dismissing the appellant's petition for setting aside an award dated 10/13.07.2012 made by an Arbitral Tribunal consisting of three learned arbitrators.

2. The parties agree that the contentions that have been raised by the parties have not been specifically dealt with by the learned Judge. Both the learned counsel agree and in our opinion rightly that the matter requires reconsideration

by the Commercial Court. The impugned judgement dated 17.04.2017 is, therefore, set aside. The matter is remanded for a fresh decision. The parties shall in the first instance appear before the Court concerned on 19.09.2017 at 10.00 AM and thereafter as directed by the learned Judge.

3. Considering that the matter has already been heard once, the learned Judge is requested to decide the matter as expeditiously as possible and preferably by 30.11.2017.
4. The appeal is accordingly disposed of.

(S.J. VAZIFDAR)
CHIEF JUSTICE

(HARINDER SINGH SIDHU)
JUDGE

06.09.2017
Amodh

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No