

CR No.103 of 2018

{1}

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CR No.103 of 2018

Date of decision:11.01.2018

Yudhvir Singh

... Petitioner

Vs.

M/s Shree Ram Transport Finance Company Ltd. & others ... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Madan Lal Saini, Advocate
for the petitioner.

AMIT RAWAL J. (Oral)

The present revision petition has been filed seeking following
relief:-

“Revision Petition under Articles 227 of the Constitution of India, seeking extra ordinary supervisory jurisdiction of this Hon'ble Court with a prayer for setting aside the impugned award dated 09.11.2013 (Annexure P-2) passed by respondent No.3 as arbitrator or in the alternative the Additional District Judge, Chandigarh be directed to decide the application for delay dated 31.07.2017 filed by the petitioner alongwith arbitration case No.1033 of 2017 titled as “Yudhvir Singh vs. ShriRam Transport Company Ltd. & others” with in some specific period.

Any other appropriate order or direction, which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case be also passed.

It is further prayed that during the pendency of the present petition in this Hon'ble Court, operation of the impugned award dated 09.11.2013 may kindly be stayed."

Mr. Madan Lal Saini, learned counsel for the petitioner submits that ex parte order was passed on 09.11.2013 (Annexure P-2) for which the objection were filed accompanied by an application seeking condonation of delay and as well as application for stay, in view of the amended provisions of Section 36 of the Arbitration and Conciliation Act, 2015 as filing of the objection is not an automatic stay. The application seeking condonation of delay had already been allowed but the application for stay is still pending. In this situation, predicament of the petitioner-defendant is writ large.

I have heard learned counsel for the petitioner and appraised the paper book.

I deem it appropriate to dispose of the present revision petition with a direction to the objecting Court, before whom the objections alongwith application for stay are stated to be pending, to decide the same as expeditiously as possible preferably within a period of one month from the date of receipt of a certified copy of this order.

Revision Petition stands disposed of.

(AMIT RAWAL)
JUDGE

January 11, 2018
savita

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No