

CM No. 23437-CII of 2018 in/and
CR No. 1373 of 2018

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

CM No. 23437-CII of 2018 in/and
CR No. 1373 of 2018
Date of Decision: 14.11.2018

Punjab State Warehousing Corporation

-Petitioner

Vs

M/s Mahashakti Industrial Corporation and others

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Karan Singla, Advocate,
for the applicant-petitioner.

RAJ MOHAN SINGH, J. (ORAL)

CM No. 23437-CII of 2018

Notice of motion was issued on 28.02.2018 for 09.05.2018.

Process was ordered to be *dasti* only.

On the adjourned date i.e. 09.05.2018, fresh notices were issued to the respondents as the *dasti* process was not collected by the office of learned counsel for the petitioner. It was clarified that non-compliance of the order would entail in dismissal of the petition for want of prosecution.

There was no representation on behalf of the petitioner on 09.05.2018. On the adjourned date as well, there was no representation on behalf of the petitioner. The Court was left with no alternative but

to apply rigor of order dated 09.05.2018 and consequently, revision petition was ordered to be dismissed for non-prosecution.

Learned counsel for the petitioner has tried to explain the latch on the part of his office and further submitted that this revision petition has become infructuous as the objections under Section 34 of Arbitration and Conciliation Act, 1996 have already been decided by the competent Court.

Though there is no obvious reason to restore the revision petition but still in the larger interest of the parties, order dated 17.10.2018 is re-called. Revision petition is restored to its original number.

Application stands disposed of.

Main case

Since the objections under Section 34 of Arbitration and Conciliation Act, 1996 have already been decided by the competent Court, this revision petition has become infructuous.

Ordered accordingly.

14.11.2018
Jyoti Yadav

(RAJ MOHAN SINGH)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No