

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

C.R.No.2995 of 2016

Malava Singh

...Petitioner

Versus

Union of India and Ors.

....Respondents

Date of Order: 14.5.2018

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Arun Bansal, Advocate for the petitioner.

Mr. Raghujeet Singh Madan, Advocate and

Mr. D.K. Prajapati, Advocate for the respondents.

AMIT RAWAL, J (ORAL)

[1]. Petitioner has assailed order dated 08.09.2012 vide which the objections of the petitioner under Section 34 of the Arbitration and Conciliation Act, 1996 against the award dated 28.01.2009 were dismissed by Additional District Judge, Hoshiarpur as time barred.

[2]. Award was passed by the Arbitrator on 28.01.2009. Learned counsel for the petitioner contended that the Award was never supplied to the petitioner which was mandatory. The objections could have been filed against the award on receipt of copy thereof. Since no award was supplied, question of limitation should not have been raked up by the trial Court.

[3]. Learned counsel for the petitioner relied upon decision dated 16.09.2013 passed in CR No.4828 of 2012 titled as Tez Kaur Vs. Union of India and others to contend that the date of award as a starting period of limitation must always be taken as a date of knowledge of the award.

[4]. Learned counsel appearing on behalf of the respondents fairly

concedes to the aforesaid preposition and says that matter in controversy is squarely covered by judgment rendered in CR No.2927 of 2016 titled as Ramesh Chander Vs. UOI and Ors decided on 20.9.2016.

[5]. In view of aforesaid, this revision petition is allowed. The impugned order dated 08.09.2012 is set aside. Lower Court is directed to decide the matter on merits.

May 14, 2018
manoj

^(AMIT RAWAL)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable : Yes/No