

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

**CR No.7131 of 2018 (O&M)
Date of Decision : 22.10.2018**

Rama

.....Petitioner

Versus

M/s Mahindra & Mahindra Finance Company

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Vinod K. Kaushal, Advocate
for the petitioner.

SUDIP AHLUWALIA, J. (ORAL)

CM No.22858-CII of 2018

Allowed as prayed for.

CR No.7131 of 2018

On submission of Ld. Counsel for the petitioner to the effect that he does not assail the validity of the Arbitration Award *per se*, but only seeks to have his liability redetermined by the Executing Court in exercise of its powers under Section 47 of the Civil Procedure Code (for short, “the CPC”), by way of analyzing the situation as well as possession of the disputed vehicle within the ambit of direction (B) of the Arbitration Award dated 21st July, 2015 (Annexure P-2), for the purpose of a judicious “discharge or satisfaction” of the said award by way of execution.

2. The present petition is accordingly dismissed as withdrawn with liberty to the petitioner to file an appropriate application under Section 47 of the CPC before the Executing Court within thirty days from the date of this order which shall thereafter be decided on the merits by the Ld. Court below as expeditiously as possible.
3. Ordered accordingly.

October 22, 2018
Dpr

(SUDIP AHLUWALIA)
JUDGE

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