

In the High Court of Punjab and Haryana at Chandigarh

114

**CR No.8001 of 2018 (O&M)
Date of decision: 27.11.2018**

M2 HOSPITALITY AND ORS

.....petitioners

Versus

SURESH KUMAR MITTAL

.....respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr.A.S.Salar, Advocate
for the petitioners.

RAJ MOHAN SINGH, J.(oral)

Petitioners have filed this revision petition against the order dated 17.10.2018, issuing warrants of attachment of their property.

Objections under Section 34 of the Arbitration and Conciliation Act, 1966 (for short 'the Act') are pending. In terms of proviso to Section 36 (3) of the Act, application for grant of stay in case of arbitral award for payment of money can only be allowed as per parameters of a money decree. Due regard has to be given to the provisions for grant of stay of a money decree under the Civil Procedure Code. Petitioner is not in a position to furnish any bank guarantee for the amount in question, since

the amendment was carried out in the year 2016. Earlier to that there was a provision for automatic stay in the objections filed against the arbitral award. There is no error of jurisdiction in the impugned order.

This petition is accordingly dismissed.

November 27, 2018
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(RAJ MOHAN SINGH)
JUDGE

Whether reasoned/Speaking

Yes/No

Whether reportable

Yes/No