

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

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**CR No.8685 of 2017 (O&M)
Date of decision: 15.01.2018**

M/s Baba Rangi Ram Pvt. Ltd. through
its MD Kuljit Singh Dhanoa and others

..... Petitioners

Versus

Union of India through Secretary

..... Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Ms. Deepali Puri, Advocate
for the petitioners.

ANIL KSHETARPAL, J. (ORAL)

This revision petition has been filed against the order dated 12.10.2017 directing the petitioner-contractor to refund the amount of Rs.26,48,000/- and a sum of Rs.8,68,047/- along with interest on the ground that the arbitration Award under which the payment was made has already been set aside. The Court has ordered restitution of the payment on the ground that the decree/award has already been set aside.

I have heard learned counsel for the petitioner. She has submitted that after setting aside the Award, the matter has already been remanded back to the Arbitrator for carrying out fresh arbitration proceedings. Hence, she submits that the restitution cannot be ordered.

In the considered opinion of this Court, once the decree/award has been set aside, any benefit drawn by the party under the aforesaid decree which is no more in existence has to be restituted.

In view thereof, there is no scope for interference in the order passed by the Court.

Revision petition is dismissed.

**(ANIL KSHETARPAL)
JUDGE**

15.01.2018
Dinesh Bansal

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No