

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

210

**FAO-5862-2012 (O&M)
Date of Decision : 27.4.2018**

Nagender Kumar(contractor)

..... Appellant

Versus

**Haryana Urban Development Authority through its Chief
Administrator and others**

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. B.R.Vohra, Advcoate
for the appellant.

Mr. Pritam Singh Saini, Advocate
for the respondent-HUDA.

AJAY TEWARI, J. (Oral)

This appeal has been filed against the order of the Additional District Judge, Karnal dismissing objections under Section 34 of the Arbitration and Conciliation Act, 1996 (for short 'the Act') filed by the appellant.

The appellant was a construction contractor working for the respondents and had undertaken some work. He was dissatisfied with the payment sanctioned and initiated arbitration proceedings. The Arbitrator passed an award in his favour which was challenged by filing objections wherein the main ground was that on some heads more payment was due than what was awarded by the Arbitrator and under certain heads no payment was made though it was due. The Court noticed that it was not sitting in appeal and, after analyzing the provisions of Section 34 of the Act came to the conclusion that once a reasoned award had been passed by the Arbitrator the Court could not interfere in the same.

Learned counsel for the appellant has not been able to show how the case can be brought within the parameters of the Section 34 of the Act. The appeal stands dismissed.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

27.4.2018
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No