

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

FAO No. 1324 of 2013 (O&M)
Date of decision : February 26, 2018

Punjab State Civil Supplies Corporation & another

..... Appellants

v.

M/S Dhose Agro Mills Private Limited and another,

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Aman Chaudhary, Advocate
for the appellants.

Mr. S.K Singla, Advocate
for respondent No.1.

Ajay Tewari, J (Oral)

C.M No.7799 CII of 2013

No reply has been filed. For the reasons recorded, this application is allowed and delay of 453 days in refiling the appeal is condoned.

FAO No.1324 of 2013

This appeal has been filed against the order of the Additional District Judge, Moga dated 22.7.2011 rejecting the objections under Section 34 of the Arbitration and Conciliation Act, 1996 (for short “the Act”) filed by the appellants against an Award dated 10.6.2007.

Counsel for the appellants has argued that the Court below wrongly construed that the objections were barred by time since they were

filed within 120 days. Counsel for respondent No.1 has argued that though the objections were filed within 120 days but there was no application for condoning the period beyond three months as mandated by Section 34(3) of the Act. Moreover, by the impugned order while the Court had dismissed the objections filed by the appellant it had also allowed separate objections filed by respondent No.1 and had set aside the Award and that decision has not been challenged in appeal.

Counsel for the appellants has accepted this factual argument also.

Resultantly, I find no merit in this appeal and the same is dismissed.

Since the main case has been decided, the pending C.Ms, if any, also stand disposed of.

February 26, 2018
'kk'

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No