

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

FAO No. 7093 of 2018 (O&M)
Date of decision : November 30, 2018

Haryana State Agricultural Marketing Board, Gurugram

..... Appellant

v.

M/S Phogat Co.op L&C Society Ltd & another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Vishal Garg, Advocate
for the appellant.

Ajay Tewari, J (Oral)

This appeal has been filed against the order dated 2.11.2018 passed by the Additional District Judge Gurugram dismissing the objections filed under Section 34 of the Arbitration and Conciliation Act on the grounds that they were filed 12 days beyond the prescribed period of three months; neither any application for condonation of delay was filed, and even the reason given viz the file was not received from the previous Advocate was not a good ground for condoning the delay.

In the first place, I asked the learned counsel why the file could not be received from the previous counsel within the time once the Award had been received by them on 30.1.2016. There is no explanation for that.

Secondly, I have gone through the Award and find that it is just and fair. It

is not disputed that clear site was not handed over to the contractor and that is why delay had occurred and once that is not disputed no fault can be found with the Award. Consequently, finding no merit this appeal is dismissed.

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

November 30, 2018
'kk'

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No