

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

CWP No.19235 of 2019 (O&M)

Date of Decision:17.07.2019

Abhishek Batish

.....Petitioner

Versus

UT Chandigarh and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Davinder Lubana, Advocate
for the petitioner.

TEJINDER SINGH DHINDSA J.(Oral)

Challenge in the instant petition is to the order dated 09.08.2018 passed by the Permanent Lok Adalat (Public Utility Services) UT Chandigarh and whereby a view has been taken that since an Arbitrator has admittedly announced an award dated 23.03.2017 inter se the parties and on the subject matter which had been raised before the Permanent Lok Adalat, two parallel proceedings cannot continue and the the remedy for the applicant/present petitioner is to prefer an appeal/challenge the arbitral award in accordance with law.

On the face of it, the impugned order passed by the Permanent Lok Adalat, does not suffer from any patent infirmity. During the course of arguments, counsel would concede that in the loan transaction that had been availed of by the petitioner herein from Toyota Financial Services Ltd., there was a Clause for arbitration. Further conceded that the Arbitrator has announced an award on 23.03.2017.

While declining to intervene in the instant writ petition,

liberty is granted to the petitioner to avail of his remedy against the award dated 23.03.2017 passed by the Arbitrator in accordance with law.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

July 17, 2019

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No