

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Civil Revision No.2504 of 2020
Date of decision: 12.11.2020

Sanjeev Kumar Singla

..... Petitioner

V/s.

HDFC Bank Limited and others

..... Respondents

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: Mr. H.S. Jalal, Advocate, for the petitioner.

Sanjay Kumar, J.(Oral)

By way of this revision filed under Article 227 of the Constitution, the petitioner seeks to assail the order dated 02.11.2020 (**Annexure P-11**) passed by the Sole Arbitrator, rejecting his objections under Section 12(1) and Section 14(1)(a) of the Arbitration and Conciliation Act, 1996 (for short, 'the Act of 1996')

However, in the light of the law laid down by the Supreme Court in **'SBP and Company V/s. Patel Engineering Limited' [2005 (8) SCC 618]**, an order passed by an Arbitral Tribunal during the course of the arbitration proceedings cannot be subjected to challenge either under Article 226 or under Article 227 of the Constitution. The Supreme Court categorically held therein that a party aggrieved by such order would have to wait until an Award is passed by the Arbitral Tribunal, unless a right of appeal is conferred in relation thereto under Section 37 of the Act of 1996.

In that view of the matter, the present revision is not maintainable and is accordingly dismissed.

No order as to costs.

(SANJAY KUMAR)
JUDGE

12.11.2020

rakesh

whether speaking/non speaking : Yes/no

whether reportable/non reportable : Yes/no