

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

Sr. No.203-2

**CM-20545-CII-2016 in/and
FAO-6063-2016
Date of decision: 20.01.2020**

Om Parkash

....Appellant

versus

National Highway Authority of India and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Vikram Bali, Advocate
for the applicant-appellant.

Mr. D.K. Prajapati, Advocate
for respondent No.1-NHAI.

* * *

DEEPAK SIBAL, J. (Oral)

Raising a preliminary objection, learned counsel for respondent No.1 submits that the present appeal is not maintainable as the same has been instituted without filing any objections under Section 34 of the Arbitration and Conciliation Act, 1996 (for short – the 1996 Act).

In view of the above objection, learned counsel for the appellant seeks to withdraw the present appeal with liberty to approach the competent Court for filing objections under Section 34 of the 1996 Act after seeking condonation of delay under Section 14 of the Limitation Act, 1963 (for short – the 1963 Act).

In view of the above, the present appeal is permitted to be withdrawn with liberty to the appellant to file objections before the competent Court under Section 34 of the 1996 Act.

It is clarified that if any application under Section 14 of the 1963 Act is filed by the petitioner alongwith his objections seeking therein condonation of delay, the same would be considered and decided on its merits by the competent Court in accordance with law.

(DEEPAK SIBAL)
JUDGE

January 20, 2020
Jyoti 1

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No