

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

CR No. 3 of 2020 (O&M)
Date of Decision:24.08.2020

Haryana Space Application Centre (HARSAC) and another
.....Petitioner

Vs.

M/s PAN India Consultants Pvt. Ltd. and another
....Respondents

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr.Kuldeep Tiwari, Addl.A.G., Haryana,
for the petitioner.

Mr.Sanjeev Sharma, Sr. Advocate with
Mr.Angad Mehta, Advocate
for respondent no.1/applicant in CM-3390-CII-2020 &
CM-7491-CII-2020.

AMOL RATTAN SINGH, J. (Oral)

All cases listed today have been taken up for hearing by way of
video conferencing because of the situation existing due to the Covid-19
pandemic.

CM-3251-CII-2020

The application made to implead the learned Tribunal as a
proforma party is allowed, with the Tribunal ordered to be impleaded only as a
proforma party in this petition.

CM-3390-CII-2020

Learned counsel for the non-applicant/petitioner very fairly does
not oppose this application by which the applicant seeks to place on record
two documents.

Consequently, the application is allowed and the documents Annexure A-1 to A-17 are ordered to be taken on record of the case file.

CR No. 3 of 2020

Pursuant to the order dated 14.08.2020, a reply has been received from the learned Arbitral Tribunal by the Registry of this court by e-mail, a copy of which has been put up before this court on the computer itself, with the said reply seen to be dated August 21, 2020.

It states to the following effect:-

“The Arbitral has no objection to offering the parties a physically hearing with the number of persons as suggested by the Hon'ble High Court not at the Arbitration and Conciliation Centre but at # 257, Sector 10-A, Chandigarh. The Tribunal also has no objection to if any of the parties choose address from a virtual platform.”

That being so, obviously learned counsel for the petitioner would be at liberty to appear before the learned Tribunal in terms of the undertaking given to this court on 14.08.2020 (as regards the number of persons to appear before the Tribunal), by way of 'physical appearance', whereas learned counsel for the respondent wishes to appear by way of virtual hearing.

Mr.Angad Mehta, Advocate (instructing learned senior counsel) seeks a further extension of time for a little longer period than three months in view of the ongoing situation, with him submitting that learned senior counsel is also appearing in various arbitration matters by virtual hearing, which takes a longer time than physical hearing.

Though Mr.Tiwari, learned Addl.A.G., Haryana, opposes the extension of time stating that the State is already aggrieved of the 3 month extension earlier granted, however, in my view this court already having granted a further 3 months vide the order dated 31.07.2020, keeping in view the situation of the current pandemic, a time of 4 months from today is

granted to parties to appear before the learned Tribunal and conclude arguments after which naturally the Tribunal would make an appropriate Award.

It is made clear that the parties would conclude arguments before the learned Tribunal within 3 months positively, to ensure that the Tribunal has sufficient time of about one month to make an Award after arguments have concluded.

Of course, this order being one challenging the order passed by the learned Additional District Judge, Chandigarh, on 08.11.2019, extending the time by 3 months to allow the learned Tribunal to make the Award, the petition itself is dismissed, this court already having allowed the application of the respondent herein seeking extension of time, and even further time of one month having been allowed hereinabove.

(This court having allowed extension of time vide the order dated 31.07.2020 and hereinabove, exercising jurisdiction under Article 227 of the Constitution, in view of the Covid-19 Pandemic).

CM-7491-CII-2020

The application seeking advancement of the date of hearing stands disposed of as not pressed, as the accompanying petition itself has been disposed of.

August 24, 2020

dharamvir/

**(AMOL RATTAN SINGH)
JUDGE**

Whether speaking/reasoned : YES
Whether Reportable : NO