

CWP-21804-2021

Date of decision: October 28, 2021

M/s Mohindra HP Filling Station
Versus

.....Petitioner

Union of India and another
CORAM:- HON'BLE MRS. JUSTICE LISA GILL

....Respondents

Present: Mr. Sanjeev Kumar Arora, Advocate for the petitioner.

Mr. Ankur Sharma, Sr.Panel Counsel for Union of India.

LISA GILL, J.

This writ petition has been filed for quashing award dated 03.01.2018 passed by the Arbitrator. Petitioner was a dealer of Hindustan Petroleum Corporation Limited as per agreement dated 14.12.2012. Dispute arose between the parties on account of some irregularities alleged to have been committed by the petitioner. Matter was referred for arbitration. Statement of claim was submitted by the petitioner before the Arbitrator claiming restoration of petrol pump by revocation of termination letter dated 07.02.2014. Petitioner also sought recovery of Rs.55 lakhs alongwith interest. Arbitrator vide award dated 03.01.2018 upheld the termination letter dated 07.02.2014 to be legal and valid. Petitioner's prayer for restoration for dealership was rejected and its claim for grant of Rs.55 lakhs was also rejected.

Admittedly, remedy under Section 34 of the Arbitration and Conciliation Act, 1996 was not availed of by the petitioner within the prescribed period of limitation. Present writ petition has been filed in March, 2021 for challenging award dated 03.01.2018.

Learned counsel for the petitioner is unable to deny that present writ petition is clearly not maintainable.

Present petition is, accordingly, dismissed.

October 28, 2021
rts(LISA GILL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No