

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

203

ARB-288-2019 (O&M)
Date of decision: 05.01.2021

Oil Tanker Union, Jalandhar

.....Petitioner

versus

The Indian Oil Corporation Ltd. and others

....Respondents

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Ramesh Sharma, Advocate for the petitioner.

Mr. Ashish Kapoor, Advocate for the respondents.

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video-conferencing on account of restrictions due to outbreak of pandemic COVID-19.

Petitioner-Oil Tanker Union, Jalandhar, has filed the present Arbitration case through its President.

In the present case, prayer has *inter alia* been made to appoint an Arbitrator to settle the dispute between the parties and to treat the present case as application under Section 11 of the Arbitration and Conciliation Act 1996.

Learned counsel for the petitioner, by making reference to Para 1 of the petition, submits that the applicant/petitioner is a Union with the name of Oil Tanker Union and list of members have been mentioned in Para 1 of the petition which are approximately 42 in number.

Records of the case show that on 18.10.2019, notice of motion was issued. Learned counsel appearing on behalf of the respondents takes an

objection that in fact, there is no agreement entered into by the respondents with the Union and therefore, the present case on behalf of the Union, is not maintainable.

Faced with the situation, learned counsel for the petitioner seeks permission to withdraw the present Arbitration case with liberty to file a fresh case(s) on the same cause of action, if so advised.

Prayer of counsel for the petitioner is accepted.

In view of the above, the present Arbitration case is dismissed as withdrawn with the liberty as prayed for.

(GIRISH AGNIHOTRI)
JUDGE

05.01.2021

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Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No