

Sr.No.123+250

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

CM.No.11707-CWP of 2022in/and

CWP-2714 of 2022

Date of decision:05.08.2022

Nakshatra Singh

... Petitioner

versus

State of Haryana and others

... Respondents

Coram: Hon'ble Mr. Justice Raj Mohan Singh

Present: Mr. Karan Bhardwaj, Advocate
for the petitioner.

Mr. Pankaj Mulwani, DAG, Haryana.

Mr. Ashwani Talwar, Advocate with

Mr. Sahej Mahajan, Advocate

for respondents No.4 and 5.

Raj Mohan Singh, J.(Oral)

CM-11707-CWP-2022

Allowed as prayed for subject to all just exceptions.

CWP-2714-2022

Factum of award dated 19.11.2021 was known to the

petitioner at the time when the present writ petition was filed. It is so recorded in the order dated 17.01.2022 passed by the Additional Civil Judge (Sr. Divn.), Dabwali while deciding an application under Section 8 read with Section 5 of the Arbitration and Conciliation Act, 1996.

Present writ petition was filed on 04.02.2022 by concealing the aforesaid arbitration proceedings conducted at Chennai. The petitioner could have laid challenge to the aforesaid award on the ground of it's being illegal and result of colourable exercise of power on the strength of order dated 19.12.2017 passed by the Division Bench of this Court in *CWP No.27089 of 2017* titled *Inderjeet Singh vs. State of Haryana and others* but the petitioner preferred to conceal the aforesaid proceedings in this writ petition, thereby making himself liable to be non-suited on this score alone. It is a settled principle of law that a person who conceals a material fact from the Court does not deserve any equitable consideration and can be thrown out of litigation at any stage.

Dismissed.

5th August, 2022

Shivani Kaushik

[RAJ MOHAN SINGH]

JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No