

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR No.804 of 2022
Date of Decision: March 09, 2022

M/S CORPORATE TOWER ASSOCIATION

..... Petitioner(s)

Versus

M/S DHWANEE MANPOWER SUPPLY AND ANOTHER

..... Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. Akshay Jindal, Advocate, for the petitioner.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to the outbreak of pandemic, COVID-19.

Learned counsel for the petitioner submits that the petitioner is a society which has been formed after the builder in question has abandoned the project and the petitioner-association is maintaining the tower. It is submitted that respondent No.2 proceeded to freeze the account of the petitioner merely on a communication though dated 15.12.2020 (Annexure P-4) from the sole Arbitrator, but received on 22.12.2021. Due to freezing of their account, the association is unable to even release the salaries etc. of the staff for the requisite upkeep of the tower. Learned counsel further submits that the award having been passed on 15.12.2020, the sole Arbitrator was *functus officio*, therefore, there is no question of issuance of any direction by him and it is in the domain of the learned Executing Court to have passed necessary directions, if any.

Prayer in the present revision petition is for directing the learned Executing Court to decide the application for stay in the petition under Section 34 of the Arbitration and Conciliation Act, 1996 (Annexure P8), filed by the petitioner, in a time bound manner. The matter, it is stated, is now listed before the learned Court on 27.04.2022.

Having heard learned counsel for the petitioner, this revision petition is disposed of with the direction that in case, the petitioner approaches the learned Court below with a request as is the prayer in this petition including the prayer for release of proportionate amount required for salary of staff upkeep of building etc. the same be considered in accordance with law and expeditiously by the learned Court below.

(Lisa Gill)
Judge

09.03.2022

Sunil

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