

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 1523 of 2020

Date of Decision: 21.12.2022

M/s G.V.K.Emergency Management & Research Institute

... Petitioner(s)

Versus

M/s Bafna Healthcare Pvt. Limited and Another

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Sumeet Goel, Senior Advocate
with Mr. Samarjit Patnaik and Mr. A.K.Ranolia, Advocates
for the petitioner(s).

Mr. Isha Goyal, Advocate
for the respondents.

Anil Kshetarpal, J.

1. On 04.03.2020, the following order was passed:-

“Learned counsel for the petitioner relied upon the judgment passed in CWP No. 23368 of 2015 titled as “Mahesh Kumar Singla Another Vs. Union of India and others” decided on March 27, 2017 to contend that the Court below has erred while recording that the application for exemption from pre-deposit of 75 per cent of the amount awarded by the arbitrator cannot be granted.

Notice of motion be issued to respondent No. 1 for 23.03.2020.

In the meantime, Learned Additional District Judge shall not reject the petition under Section 34 of Arbitration and

Conciliation Act, 1996 on the ground of non-deposit of 75 per cent of the awarded amount. However, this would not restrict of the Learned Additional District Judge to proceed with the case on merits. Permission is also granted to serve respondent through its counsel before the Learned Additional District Judge.”

2. The learned counsel representing the parties are *ad idem* that pursuant to the subsequent order passed by the Court under Section 36 of the Arbitration and Conciliation Act, 1996, the petitioner has already deposited the entire amount awarded by the Arbitrator. It has been brought to the notice of this Court that the matter is now listed for final disposal on 23.01.2023.

3. Keeping in view the aforesaid facts, the present revision petition is disposed of as having been rendered infructuous. However, it is expected that the Presiding Judge shall make sincere endeavours for expeditious disposal of the case.

(Anil Kshetarpal)
Judge

December 21, 2022

“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No