

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

**207**

**FAO No.3841 of 2014 (O&M)  
Date of Decision: 13.12.2022**

**HARYANA BIJLI VITRAN NIGAM LIMITED**

**.....Appellant**

**Vs**

**M/S TELMOS ELECTRONICS AND ANR**

**.....Respondents**

**CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present: Mr.Mahender Joshi, Advocate for  
Mr.R.S.Madaan, Advocate  
for the petitioner.

Mr.Gaurav Mohunta, Advocate and  
Mr.Nishant Rai, Advocate  
for the respondents.

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**RAJ MOHAN SINGH, J.(Oral)**

Perusal of the order dated 30.05.2014 would indicate that notice of motion was issued and in the meanwhile execution proceedings were ordered to be stayed. Thereafter, the case was adjourned on number of occasions. Ultimately on 12.02.2020, it was made clear that no further adjournment shall be granted to the parties to address arguments. Even thereafter the case was adjourned on 16.05.2022 and on 28.07.2022, last opportunity was sought by the proxy counsel on behalf of the appellant to address arguments.

Today also proxy counsel on behalf of the appellant seeks an adjournment. On the basis of antecedent facts on record, learned counsel for the respondents submits that

50% the Arbitrator's fee is in dispute. The respondents have already paid their dues in terms fee structure of the Arbitrator. The appellant has not performed its part of obligation. The issue is only with regard to the Arbitrator's fee. The Arbitrator has not accepted the schedule submitted by the appellant, rather followed his own schedule for charging his legal fee. The appellant unsuccessfully contested the petition under Section 34 of the Arbitration and Conciliation Act and after dismissal thereof the appellant has preferred this appeal.

In view of the aforesaid facts, this Court has no alternative, but to dismiss this appeal for want of prosecution.

Accordingly, this petition is dismissed for non prosecution.

13.12.2022

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**(RAJ MOHAN SINGH)  
JUDGE**

**Whether speaking/reasoned Yes/No**  
**Whether reportable Yes/No**