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

CR No. 4806 of 2022 (O&M)
Date of Decision: 24.11.2022

Mohit Jain and others

-Petitioners

Versus

Kanchan Bala Jain and another

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. I.S. Ratta, Advocate,
for the petitioners.

RAJ MOHAN SINGH, J. (Oral)

CM No. 14451-CII of 2022

Prayer in this application is for bringing on record the legal representatives of deceased- Parmod Kumar Jain.

Evidently, the present petition has been filed by the legal representatives of deceased- Parmod Kumar Jain, therefore, there is no necessity to pass any separate order, except to allow the petitioners to file the present petition.

Application stands disposed of.

Main case

The petitioners have preferred this petition against the order dated 23.09.2022 passed by the Additional Sessions Judge, Ludhiana in execution No.1505/2015 whereby the Court

has rejected the application of the petitioners-judgment debtors for consideration and decision on the application dated 23.02.2018 under Section 33/35 of the Indian Stamp Act for impounding of the arbitration award dated 05.07.2010.

Perusal of the impugned order would show that the consideration on the application in question was ordered to be done along with main objections for which the petitioner was asked to address arguments on the main objections as well as on the application on the date fixed.

Learned counsel for the petitioners seeks adjudication of the application independently, leaving the main objections to be decided by the Additional Sessions Judge, Ludhiana at a subsequent date.

Learned counsel submits that the objection as regards the application under Section 33/35 of Indian Stamp Act was not taken in the main objection petition.

Since the Court has asked the learned counsel for the petitioner to address arguments on the application along with main objections, therefore, there will be no prejudice to the petitioners to address arguments in the application as well as in the main objection petition.

In view of facts and circumstances of the case, I find no justification to interfere in the impugned order dated

23.09.2022 passed by the Additional Sessions Judge,
Ludhiana.

Dismissed.

Since the case is already listed before the Executing
Court for today, therefore, the petitioners would be at liberty to
address arguments before the Executing Court.

24.11.2022

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

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|------------------------------|---|--------|
| 1. Whether speaking/reasoned | : | Yes/No |
| 2. Whether reportable | : | Yes/No |