

118

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

CR No. 5913 of 2022

Date of Decision: 14.12.2022

M/s Shree Bala ji Construction Co.

-Petitioner

Versus

Punjab Water Supply and Sewerage Board and others

-Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. P.S. Rana, Advocate,
for the petitioner.

RAJ MOHAN SINGH, J. (Oral)

Learned counsel for the petitioner contends that the Arbitrator was appointed by the Additional District Judge, Bathinda under Section 14 and 15 of the Arbitration and Conciliation Act, 1996 vide order dated 01.04.2016.

The said order was assailed by the respondents in Civil Revision No.4968 of 2016 and the same was dismissed by this Court vide order dated 16.09.2016, confirming the appointment of Hon'ble Mr. Justice S.K. Jain (Retired) (now since expired).

Thereafter, the Arbitrator passed the award on 15.02.2018 against which objections were filed by the respondents and the objections were allowed by the Additional District Judge, Bathinda vide order dated 11.01.2022 and the matter was remanded back to the Sole Arbitrator with a direction to give due opportunity of hearing to the parties and then decide the matter afresh in accordance with law.

Thereafter, the Arbitrator owing to his ill health requested to appoint some other Arbitrator as the Hon'ble Judge was not in a position to deal with the case due to his deteriorating health condition. Thereafter, the petitioner filed an application under Section 14 and 15 of the Arbitration and Conciliation Act, 1996 before the Additional District Judge for appointment of fresh Arbitrator. The said application is pending for the last more than one year.

Prayer of the petitioner is that a direction be issued to the Additional District Judge to decide the application filed by the petitioner under Section 14 and 15 of the Act at the earliest. The next date is 18.02.2023.

In view of nature of prayer and controversy involved in the present petition, I deem it appropriate to dispose of this petition without issuing any notice to the respondents. The issuance of notice would further delay the disposal of the

present petition. The Additional District Judge shall make every endeavour to take up the application at the earliest and pass appropriate order in accordance with law either on the date fixed or soon thereafter.

14.12.2022

Jyoti Sharma

(RAJ MOHAN SINGH)
JUDGE

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