

111 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-526-2023

Date of Decision: 8th February, 2023

Hemant Yadav

... Petitioner

Versus

Shashi Kanta

... Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. J.S. Lalli, Advocate for the petitioner.

Mr. Hinder Kansal, Advocate for the respondent.

AVNEESH JHINGAN , J.(Oral)

1. This revision petition is filed aggrieved of order dated 4.1.2023 whereby the defence of the petitioner was struck off.

2. Learned counsel for the petitioner submits that due to family circumstance, the petitioner was not able to deposit the fee of the arbitrator and the delay occurred. He further submits that to show his *bona fides*, the petitioner has deposited the fee of the arbitrator and if an opportunity is granted, he will file the reply in the arbitration proceedings on the next date of hearing i.e. 17.02.2023.

3. Notice of motion.

4. Mr. Hinder Kansal, Advocate appears and accepts the same on behalf of the respondent and submits that delay tactics were adopted by the petitioner.

5. Taking into consideration the facts and the circumstances of the present case and that fair opportunity should be provided to party to defend itself, impugned order is set aside subject to the petitioner filing the reply, if any, on or before the next date of hearing i.e. 17.2.2023.

6. Petition is disposed of.
7. Since the main case has been decided, the pending application(s), if any is rendered infructuous.

(AVNEESH JHINGAN)
JUDGE

8th February, 2023
anuradha

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