

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

CR-7256-2017 (O&M)

Date of decision: January 11, 2023

National Buildings Construction Corporation Limited

....Petitioner

versus

M/s Sunita Enterprises and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Prince Sarangal, Advocate for
Mr. Parvez Chugh, Advocate for the petitioner.

Mr. Manohar Lall, Advocate and
Mr. Rajesh Chaudhary, Advocate for respondent No.1.

ARUN MONGA, J. (ORAL)

Present revision petition seeks to set aside the impugned order dated 28.08.2017 (Annexure P-4) passed by learned Civil Judge (Junior Division), Ferozepur whereby in a suit for recovery of Rs.12,98,366/- instituted by respondent No.1, application filed by respondent No.1/plaintiff for directing the petitioner/defendants to appoint Arbitrator, has been allowed.

2. Learned counsel for respondent No.1 submits that the dispute herein arises out of non-refund of the security deposit of Rs.2,35,918/- by the petitioner-Corporation to respondent No.1. In the premise, an application for appointment of Arbitrator before learned Civil Judge (Junior Division), Ferozepur was filed. He submits that during pendency of the revision petition, vide an office letter dated 27.03.2000, copy of which has been tendered in course of hearing, the petitioner-Corporation has conveyed to

respondent No.1 that they have taken an administrative decision to refund the security amount.

3. In view of the aforesaid, nothing much requires adjudication, at this stage. This petition is disposed of with the expectation that pursuant to the aforesaid order/ letter, further steps will be taken to disburse the security amount as expeditiously as possible, but not later than 3 months from today along with interest at the rate of 6% w.e.f. date the refund was due till actual its payment.

4. Disposed of, accordingly.

5. Pending application/s, if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

January 11, 2023
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No