

109 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-1012-2023

Date of Decision :28.04.2023

L and T Finance Ltd. ...Petitioner

versus

Ganga SinghRespondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Gaurav Sharma, Advocate for the petitioner.

B.S. Walia, J. (Oral)

1. Challenge in the instant petition is to order Annexure P/6 dated 27.09.2022, passed by the learned Civil Judge (Junior Division), Mansa, in Civil Suit No.62 of 2022, dismissing application Annexure P/5 dated 02.04.2022, filed under Section 8 of the Arbitration and Conciliation Act, 1996, for reference of the dispute to the Arbitrator as per Clause 12.1 of the Loan-cum-Hypothecation Agreement dated 23.02.2021.

2. At the outset, learned counsel for the petitioner states that the petitioner has made a statement that the petitioner would not take possession of tractor make Sonalika DI 750 111, bearing registration No.PB-31-W-6533, Engine No.4100EL14F1063160F16, Chassis No.HZZDR107317853, from the respondent-plaintiff otherwise than in accordance with law and in the circumstances would move an application under Order 15 Rule 1 CPC, for decree of the suit but prays for grant of liberty to the petitioner to take out appropriate proceedings in accordance with law to seek appointment of an Arbitrator qua the dispute between the

3. In view of the position noted above as well as statement of learned counsel for the petitioner, the instant petition is dismissed as withdrawn, with the liberty as prayed for.

(B.S. Walia)
Judge

28.04.2023
rajesh

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