

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

DECIDED ON: 15th March, 2023

**(1) C.R. No. 1503 of 2023 (O&M)
State of Punjab**

.....PETITIONER

VERSUS

M/s CDS Infra Projects Ltd. and others

.....RESPONDENTS

**(2) C.R. No. 1504 of 2023 (O&M)
State of Punjab**

.....PETITIONER

VERSUS

M/s CDS Infra Projects Ltd. and others

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. R.S. Madaan, Advocate for petitioner.
Mr. Aman Kashyap, Advocate for respondents.

AVNEESH JHINGAN, J (ORAL)

These two revision petitions are filed being aggrieved of order dated 1.2.2023 whereby during the pendency of the objection petitions under Section 34 of the Arbitration and Conciliation Act, 1996, (for short 'the Act'), the petitioner was directed to deposit 100% of the awarded amount in the form of fixed deposit.

Since, similar facts and issues are involved in both revision petitions, they are being disposed of by a common order.

On 9.3.2023, following order was passed:

"Learned counsel for the respondent submits that in case the petitioner deposits 75% amount instead of 100% as directed vide impugned order, respondent will not seek release of the amount till the decision of objections under Section 34 of the Arbitration & Conciliation Act, 1996.

Learned counsel for the petitioner seeks time to have instructions.

Adjourned to 15.03.2023.

A photocopy of this order be placed on the file of connected case."

Learned counsel for the petitioner on instructions submits that as per offer given to respondents before this Court on 9.3.2023, the amount shall be deposited with the Court concerned within fifteen days from today.

Mr. Aman Kashyap, Advocate for respondents submits that he has no objection if the impugned order is modified to the extent that 75% of the amount is deposited instead of 100%. He further submits that objections under Section 34 of the Act be decided in a time bound manner.

In view of above, the petitions are disposed of and impugned order dated 1.2.2023 is modified to the extent that petitioner shall deposit 75% of the awarded amount within fifteen days from today with the Court concerned. The amount so deposited shall be kept in FDR in a nationalized bank. The amount deposited shall be subject to outcome of objection petitions under Section 34 of the Act.

There is no doubt that in case a request is made by the parties before the Court concerned for expeditious disposal of objection petition under Section 34 of the Act, the same would be considered in accordance with law.

Since the main cases have been disposed of, pending application, if any is rendered infructuous.

Photocopy of this order be placed on the file of connected case.

15th March, 2023

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**(AVNEESH JHINGAN)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>