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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-653-1999(O&M)
Date of Decision: 15.02.2023

M/s. Sidhu Khalsa Rice & General Mills

....Petitioner(s)

Versus

Government of India and others

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Sudeep Mahajan, Advocate, for the petitioner.

Mr. Vaibhav Gupta, Advocate for
Mr. K.K. Gupta, Advocate for the FCI.

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Article 226/227 of the Constitution of India seeking a writ in the nature of *Certiorari* for quashing of the impugned order dated 10.10.1997 by which the petitioner was directed to deposit an amount of Rs.61,08,398/- for alleged failure to complete the contractual obligation with the stipulated period.

The present petition is of the year 1999 and the dispute is with regard to demand raised by the respondent-FCI from the petitioner arising out of contractual obligation. It has been categorically stated by the learned counsel for the respondents that the subject matter of the dispute was referred to the Arbitrator and even an award has been passed by the Arbitrator and thereafter objections under Section 34 of the Arbitration and

Conciliation Act, 1996 are pending. This information was also given by the learned counsel for the FCI on 30.09.2022.

Today, Mr. Sudeep Mahajan, Advocate for the petitioner has submitted that he has no instructions in this regard as to whether the objections under Section 34 of the Arbitration and Conciliation Act, 1996 are pending or not.

After hearing the learned counsel for the parties, this Court is of the view that since the subject matter of the present writ petition pertains to dispute of breach of contractual obligations which has already been referred to the Arbitrator and an award has been passed as per learned counsel for respondent, nothing survives in the present petition and the same is liable to be dismissed.

In view of the above and particularly in view of the statement made by the learned counsel for the parties, the present petition is dismissed.

15.02.2023

rakesh

**(JASGURPREET SINGH PURI)
JUDGE**

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