

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

CR-2146-2021 (O&M)

Date of Decision: 22nd March, 2023

The Punjab State Power Corporation Limited ... Petitioner

Versus

M/s. Punjab Transformers Electronics Ltd. .. Respondent

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Abhilaskh Grover, Advocate for the petitioner.

Mr. Rishab Kumar Jain, Advocate for
Mr. Tribhavan Singla, Advocate for the respondent.

AVNEESH JHINGAN , J.(Oral)

1. This revision petition is filed aggrieved of order dated 21.10.2019 dismissing the execution application.
2. Brief facts are that the petitioner allotted a tender to the respondent for supply of new transformers. The terms and conditions provided for dispute resolution through arbitration. The dispute between the parties was referred to the arbitrator and the proceedings culminated in award dated 31.3.2015. Execution application filed by the petitioner was dismissed on the ground that there is no definite sum recoverable quantified in the award.
3. Learned counsel for the petitioner is not pressing the petition but seeks liberty to approach the Arbitrator for rectification/clarification of the award which otherwise is in favour of the petitioner.
4. Learned counsel for the respondent opposes the prayer and submits that the matter cannot be remanded back to the Arbitrator by this

5. The acceptance of prayer made by learned counsel for the petitioner does not result in remand of the proceedings to the arbitrator but only liberty is sought for approaching the arbitrator for rectification or clarification of the award.
6. Petition is dismissed as not pressed with liberty as prayed for.
7. Needless to say that in eventuality of petitioner moving an application for rectification/modification, the appropriate Forum shall take into consideration the pendency of the present case for the purposes of limitation.
8. Since the main case has been dismissed, the pending application(s), if any is rendered infructuous.

(AVNEESH JHINGAN)
JUDGE

22nd March, 2023
anuradha

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