

**231 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

2023:PHHC:046996

CR-2257-2020

Date of decision: 29th March, 2023

Dinesh Kumar

...Petitioner

Versus

Arun Kumar and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Ashish Bansal, Advocate for the petitioner.

AVNEESH JHINGAN, J (Oral):

1. This revision petition is filed seeking quashing of order dated 7th September, 2020.

2. The brief facts are that petitioner and respondent No.1 were partners in a firm. The dispute between the parties was referred to an arbitrator. The petitioner filed an application under Section 16 read with Section 11, 12, 13 and 14 of Arbitration and Conciliation Act, 1996 (for short 'the Act') challenging the appointment of the arbitrator and further that there is no arbitration clause. The grievance raised was that there was no partnership firm rather it was a proprietorship concern.

3. Learned counsel for the petitioner submits that during the pendency of the petition the award has been passed and objections under Section 34 of the Act are pending.

4. Without commenting upon the merits of the case, petition is disposed of with liberty to the petitioner to raise all the issues raised in this petition at an appropriate stage in proceedings under Section 34 of the Act.

5. Since the main petition is disposed of, pending application, if any is rendered infructuous.

**[AVNEESH JHINGAN]
JUDGE**

29th March, 2023

Parveen Sharma

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No