

2023:PHHC:129299

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CR-4047-2022 (O&M)
Date of Decision:-5.10.2023

Talwandi Sabo Power Limited ... Petitioner

Versus

Punjab State Power Corporation Limited ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Chetan Mittal, Senior Advocate with
Mr. Kunal Mulwani, Advocate;
Mr. Satyveer Singh, Advocate and
Mr. Ritik Garg, Advocate for the petitioner.

Mr. Aman Pal, Advocate for the respondent assisted by
Ev. Parveer Jain, SE and Ev. Gurinder Singh, AEE.

GURVINDER SINGH GILL, J. (Oral)

CM-18180-CII-2023

In view of the reasons mentioned in the application, the same is allowed and order dated 24.1.2018 annexed with the application is taken on record as Annexure P-23 subject to all just exceptions.

CR-4047-2022 (Main Case)

1. The petitioner assails order dated 14.1.2020 passed by learned Additional District Judge, Patiala acting as Commercial Court-I, Patiala (Annexure P-1) vide which an application filed by the petitioner under Section 29-A(5) of Arbitration and Conciliation Act, 1996 seeking extension of time for

concluding arbitration, has been held to be not maintainable while observing that it is only PSERC, which has the jurisdiction to deal with such an application.

- 2. Learned counsel representing the respondent, upon instructions from Ev. Parveer Jain, SE and Ev. Gurinder Singh, AEE, has submitted that the respondent has no objection in case the impugned order is set aside and the matter is remanded back to the Court of learned Additional District Judge, Patiala acting as Commercial Court-I, Patiala for a fresh decision on merits.
- 3. Learned counsel representing the petitioner has no objection for the same.
- 4. In view of the aforestated position, the impugned order dated 14.1.2020 (Annexure P-1) is set aside. The parties are directed to appear before the Court of learned Additional District Judge, Patiala acting as Commercial Court-I, Patiala on 18.10.2023. The Court concerned is directed to consider and dispose of the application under Section 29-A of Arbitration and Conciliation Act, 1996 expeditiously on merits preferably within a period of one month from date of appearance of parties.
- 5. The instant petition stands disposed off accordingly.

5.10.2023

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No