

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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FAO-7275-2017 (O&M)

Date of Decision: 3rd May, 2023

Punjab Small Industries & Export Corporation Ltd. ... Appellant

Versus

M/s. Sandhu Builders (P) Ltd. and another ... Respondents

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Sanjeev Roy, Advocate for
Mr. IPS Dobia, Advocate for the appellant.

Mr. P.S. Rana, Advocate for the respondents.

AVNEESH JHINGAN , J.(Oral)

1. Punjab Small Industries & Export Corporation Limited (for brevity 'the appellant') is in appeal against the dismissal of objections under Section 34 of the Arbitration and Conciliation Act, 1996 (for short 'the 1996 Act').

2. Brief facts are that the appellant on 1.9.2005 allotted the work for constructions of RPFC Sub-Regional Office building at Bathinda to respondent No.1 (for short 'respondent'). The work was to be completed within five months. The arbitration proceedings initiated at the instance of the respondent culminated in award dated 30.12.2014 and the claim was partially allowed. The objections filed by the appellant were dismissed on 25.5.2017. Hence the present appeal.

3. In the impugned order, contentions of appellant were noted, provisions of Section 34 of the 1996 Act and decisions of Supreme Court on scope of interference under Section 34 of the 1996 Act were reproduced. The objections were dismissed without considering and

analyzing the contentions raised by the appellant. Consequently, the

impugned order is set aside and the matter is remanded back to the Court concerned to decide the objections under Section 34 of the 1996 Act afresh.

- 4. The petition is disposed of.
- 5. Since the main case has been disposed of, the pending application(s), if any is rendered infructuous.

(AVNEESH JHINGAN)
JUDGE

3rd May, 2023
anuradha

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