

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

CR-6179-2019

Date of Decision: 13th February, 2023

M/s Yazaki India Pvt. Ltd.

... Petitioner

Versus

M/s Bestways Transport (I) Pvt. Ltd. and another ... Respondents

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Ms. Seema Pasricha, Advocate for the petitioner.
Mr. Rishabh Jain, Advocate for the respondents.

AVNEESH JHINGAN , J.(Oral)

This petition is filed aggrieved of order dated 21.9.2019 whereby the 75% amount deposited was ordered to be released during the pendency of the objections under Section 34 of the Arbitration and Conciliation Act, 1996.

On 27.9.2019, the following order was passed :-

“Learned counsel for the petitioner contends that 25% of the amount has been ordered to be released by observing that it was mandatory to be released, whereas, it was mandatory to deposit but not mandatory to release as per the Section 19 of the Micro, Small and Medium Enterprises Development Act, 2006. It was further stated that no doubt the amount could be released but after taking into consideration the circumstances. In the present case, the matter is at the fag end and written submissions have also been submitted.

Issue notice of motion for 25.11.2019.

Meanwhile, the operation of the impugned order dated 21.9.2019 is stayed till the next date of hearing. Learned Additional District Judge, Chandigarh may proceed to dispose of the matter pending before him, in case it lies for final disposal as stated.”

Learned counsel for the parties are *ad idem* that objections under Section 34 of the Act have been partially argued. It is submitted that the matter would be argued on or before 15.4.2023.

In view of the statement made by learned counsel for the parties, the petition is disposed of. The interim order dated 27.9.2019 of this Court shall continue till decision of objections.

The objections are pending since 2019, the Court concerned shall make an effort to decide the objections at earliest not later than 29th May, 2023.

(AVNEESH JHINGAN)
JUDGE

13th February, 2023
anuradha

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