

FAO-7227-2019

Date of Decision: 25th April, 2023

Raksan Transformers Private Limited

... Appellant

Versus

Punjab State Power Corporation Limited and others

... Respondents

CORAM : HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. J.S. Toor, Advocate for the appellant.

Mr. Birinder Singh, Advocate for respondents No. 1 and 2.

AVNEESH JHINGAN , J.(Oral)

1. This appeal under Section 37 of Arbitration and Conciliation Act, 1996 has been filed aggrieved of dismissal of the objections.

2. On 5.3.2020, the following order was passed :-

“Learned counsel for the appellant submits that he has express instructions from the appellant that he does not challenge the impugned award or the order dated 20.08.2019 passed by the Additional District Judge, Patiala. However, due to extreme financial constraints all that the appellant seeks from the respondents is a concession to deposit the awarded amount in installments and to show his bonafides the appellant shall deposit 1/3rd of the awarded amount within one month from today.

Subject to the appellant's depositing 1/3rd of the awarded amount within one month from today let notice be issued to the respondents for 16.04.2020.

Process dasti as well.”

3. Learned counsel for the appellant on instructions fairly submits that after deposit of one third awarded amount, no further amount has been paid. He further submits that the balance amount would be paid within

FAO-7227-2019

-2-

three months from today, he seeks permission to withdraw the present appeal.

- 4. In view of the above, appeal is dismissed as withdrawn.
- 5. Since the main case has been dismissed as withdrawn, the pending application(s), if any is rendered infructuous.

(AVNEESH JHINGAN)
JUDGE

25th April, 2023
anuradha

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