



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-790-2023

Date of Decision: 19.12.2024

M/s Guru Nanak Rice Mills

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Vikas Chaudhary, Advocate for the petitioner.

Mr. Naveen S. Bhardwaj, Addl. AG, Haryana.

Mr. Sunish Bindlish, Advocate and
Mr. Viney Kumar, Advocate for respondent No.4-FCI.

ANIL KSHETARPAL, J. (ORAL)

The petitioner admits the existence of Clause-4 for referring the matter to the arbitration in case of any dispute. Learned counsel for the petitioner admits that an application under Section 11 of the Arbitration and Conciliation Act, 1996 has already been filed.

Through the present writ petition the petitioner prays for issuance of a writ in the nature of mandamus directing the respondents to accept the delivery of balance Custom Milled Rice (CMR) according to Kharif Marketing Season 2021-22. For interim directions, the remedy is under Section 9 of the 1996 Act, particularly when the dispute resolution is through arbitration. Section 9 is applicable with respect to interim orders before, during and after the arbitration.

Keeping in view the aforesaid facts, this Court does not find it appropriate to keep the writ petition filed under Article 226 pending. Hence, the petitioner is relegated to the alternative remedy.

Disposed of.

(ANIL KSHETARPAL)
JUDGE

19.12.2024
Parveen kumar

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