

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

(Sr. No. 112)

LPA No. 478 of 2024 (O&M)

Date of decision: 10.04.2024

M/s NBCC (India) Limited

..... Appellant

Versus

Haryana Micro and Small Enterprises Facilitation Council and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present : Mr. Parvez Chugh, Advocate for the appellant.

* * *

DEEPAK SIBAL, J. (Oral)

(1) In spite of the unexplained delay of 586 days in the filing of the instant appeal, on the insistence of learned counsel for the appellant, we have heard the matter on merits.

(2) The present intra court appeal is directed against the order dated 02.06.2022 passed by a learned Single Judge of this Court through which, after recording consent of both the parties, their dispute was referred to be settled through arbitration. Also under challenge is order dated 15.09.2023 passed by the learned Single Judge dismissing the appellant's application filed by it seeking therein review of the aforesaid order.

(3) Through the impugned order dated 02.06.2022 the dispute between the contesting parties was referred to be adjudicated upon through

the medium of Arbitration. Such order was passed on the consent of the parties. Therefore, no appeal against such order would be maintainable.

(4) No fault is also found in the order of the learned Single Judge dated 15.09.2023 as through such order the appellant's review application was dismissed on the ground that the order dated 02.06.2022, the review of which was sought by the appellant, had been passed by way of consensus between the parties and therefore, in such order there was no apparent error.

(5) In the light of the above, the present appeal, both on the ground of delay as also on merits is dismissed.

(6) All pending miscellaneous application(s) also stand disposed of.

(DEEPAK SIBAL)
JUDGE

10.04.2024
sunil yadav

(DEEPAK MANCHANDA)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No