



RA-CR-23-2022(O&M) in
FAO-6760-2010

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

RA-CR-23-2022(O&M) in
FAO-6760-2010
Date of decision:-10.09.2024

Punjab State Civil Supplies Corporation Ltd. (PUNSUP)

...Applicant/appellant

Versus

M/s Ram Nath and sons and others

...Respondents

CORAM: HON'BLE MR.JUSTICE SUVIR SEHGAL

Present: Ms.Mona Yadav, Advocate for
Mr.Ranjit Singh Kalra, Advocate
for the applicant/appellant.

Mr.Karan Nehra, Advocate and
Mr.Abhay Josan, Advocate
for the respondents No.1 to 5.

SUVIR SEHGAL, J.(ORAL)

CM-4487-CII-2022 in
RA-CR-23-2022

1. Application is allowed, as prayed for.
2. Annexures RA-1 and RA-2, are taken on record.

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3. This application has been filed by the applicant – appellant under Order XVII Rule 1, CPC for reviewing order dated 28.04.2016 passed by this Court.

4. Counsel for the applicant – appellant submits that the order passed by this Court has been challenged before the Supreme Court in SLP (C) 7687/2017, which has been disposed of on 11.03.2022, Annexure



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RA – 1, with the following observations:

“5. By the impugned judgment and order, the High Court has set aside the order passed by the first appellate court setting aside the Award and consequently has allowed FAO No.4558/2009. However, without deciding the FAO No.6760/2010 the High Court has also allowed the said appeal, however, without deciding the said appeal on merits and granting any further relief. It appears that there seems to be some error on the part of the High Court in not deciding the FAO No.6760/2010 on merits.

6. In that view of the matter, we deem it proper to relegate the petitioners to file a review application before the High Court and point out the aforesaid error and to review the order and thereafter to decide the FAO No.6760/2010 on merits.

7. If such a review application is filed within a period of four weeks from today, the same shall be entertained and decided and disposed of on merits without raising the dispute with respect to limitation.

8. With this, the present Special Leave Petition stands disposed of.

9. In case, the decision in review application is against the petitioners, it is always open to the petitioners to take recourse to law.”

5. Opposing the application, counsel for respondents No.1 to 5



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submits that SLP (C) Nos.30897 and 30898 of 2016 preferred against order dated 28.04.2016 passed by this Court in both the appeals stood dismissed.

- 6. I have heard counsel for both the parties.
- 7. For the reasons given in the application and particularly in the light of the observations made by Hon’ble Supreme Court in its order, Annexure RA-1, order dated 28.04.2016 passed by this Court is recalled.
- 8. Review application is allowed.
- 9. Appeal is restored to its original number and is taken on Board.

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- 10. On the request of counsel representing contesting respondents No.1 to 5, list on 14.01.2025.
- 11. Xerox copy of the record be called from the Court learned District Judge, Ferozepur.

10.09.2024
Brij

(SUVIR SEHGAL)
JUDGE

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