



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

115 -2

CR-3411-2024 (O&M)

Date of Decision: 30.05.2024

ARPANA BEHLA AND ANR.

.... Petitioner

V/S

EMAAR MGF LAND LTD

.... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. A.P.S. Sandhu, Advocate with
Mr. Ashish Kaushik, Advocate for the petitioners.

SUVIR SEHGAL, J. (ORAL)

1. By way of present revision petition, petitioner has sought for setting aside impugned order dated 16.02.2024, Annexure P-3.

2. By making a reference to the award dated 16.02.2024, Annexure P-3, counsel for the petitioner submits that the petitioner was required to deposit an amount of Rs.31,87,750/- (that is Rs.34,00,000/- minus Rs. 2,12,250/-) along with interest @ 24% per annum within a period of three months. He submits that as per Annexure P-3, on failure to do so, the allotment made in his favour would be deemed to be cancelled and the deposited amount will be forfeited.

3. Notice of motion.

4. Mr. Kunal Dawar, Advocate accepts notice and has filed his memo of appearance on behalf of the respondent, which is taken on record. He concedes that the objections filed by the petitioner under

Section 34 of the Arbitration and Conciliation Act, 1996 are pending

and the impugned order has been passed by way of an interim arrangement.

5. Having heard counsel for the parties, this court is of the view that the condition imposed by learned Additional District Judge, is onerous and harsh. Accordingly, the impugned order is modified.

6. It is ordered that petitioner shall furnish security in the shape of bank guarantee or FDR with lien of the Court for an amount of Rs. 31,87,750/- along with simple interest @ 12% per annum within a period of six weeks from today.

6. Petition is disposed of.

30.05.2024
pooja saini

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No