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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-3900-2024

Date of Decision :-15.07.2024

PSPCL

.....Petitioner

Versus

M/S J.K. Electricals and others

.....Respondents

CORAM:- HON'BLE MR. JUSTICE SUVIR SEHGAL**Present:** Mr.Shreesh Kakkar, Advocate
for the petitioner.

SUVIR SEHGAL, J. (ORAL)

1. By way of present petition filed under Article 227 of the Constitution of India, petitioner has approached this Court for setting aside of the impugned order dated 10.08.2023, Annexure P5, passed by the learned Additional District Judge, Patiala in execution petition filed by the petitioner.

2. Counsel for the petitioner submits that pursuant to an agreement between the parties, a dispute had arisen between the petitioner and the respondents, which was referred to an Arbitral Tribunal. He submits that by award dated 23.07.2012, Annexure P1, the claim petition filed by the



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respondents was dismissed and an award was passed in favour of the petitioner. However, no definite sum has been awarded.

3. Counsel for the petitioner seeks permission to withdraw the present petition with liberty to approach the Arbitrator for rectification/clarification of the order by moving an application under Section 33 of the Arbitration and Conciliation Act, 1996.

4. Request made by the counsel for the petitioner is accepted.

5. Petition is dismissed as withdrawn as not pressed with liberty as aforesaid. Petitioner is granted liberty to approach learned Arbitrator, if permissible, in accordance with law by moving appropriate application.

6. Needless to say that in eventuality of petitioner moving an application for rectification/modification, the appropriate Forum shall take into consideration the pendency of the present case for the purposes of limitation.

15.07.2024
Brij

(SUVIR SEHGAL)
JUDGE

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