

2025:PHHC:149601-DB



IN THE HIGH OF PUNJAB AND HARYANA AT CHANDIGARH

FAO-CARB-30-2025 (O&M)

DATE OF DECISION: 30.10.2025

STATE OF PUNJAB THROUGH EXECUTIVE ENGINEER

..APPELLANT

VS.

JAI BHUSHAN MALIK CONTRACTOR AND ANOTHER

..RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Mr. S.S. Gill, Senior DAG, Punjab
for the appellant.

Mr. Dheeraj Mahajan, Advocate
for the respondents.

ASHWANI KUMAR MISHRA, J.(ORAL)

The present appeal has been filed by the State of Punjab assailing the order passed by the Additional District Judge, Tarn Taran, dated 22.08.2024, whereby, the objection filed by the appellant against the award of the Arbitrator has been rejected. The Court below has come to the conclusion that none of the grounds to set aside the award under Section 34 of the Arbitration and Conciliation Act, 1996 is shown to exist in the facts of the case.

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This appeal has been preferred along an application for condonation of delay of 220 days in filing the appeal as well as 33 days in refilling the appeal. The only reason disclosed for belated filing of appeal is contained in para 5 of the affidavit which mentions the movement in which the finding of the appeal was processed.

We have perused the affidavit and find that no justifiable ground has been made out for the delay in filing of the appeal. We are otherwise informed that the award of the Arbitrator has already been given effect to and the concerned court has ordered that the execution has been satisfied.

In view of the fact that the award has already given effect to and no credible evidence has been placed on record to explain the long delay of 220 days in filing the appeal and 33 days in refilling of the appeal, we reject the application for condonation of appeal. Consequently, the appeal is also dismissed.

(ASHWANI KUMAR MISHRA)
JUDGE

October 30, 2025
Poonam Sharma

(ROHIT KAPOOR)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No