

2025:PHHC:149587-DB



IN THE HIGH OF PUNJAB AND HARYANA AT CHANDIGARH

**FAO-CARB-32-2025 (O&M)
DATE OF DECISION: 30.10.2025**

STATE OF PUNJAB

..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.

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 available 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.

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

**FAO-CARB-32-2025 (O&M)****-2-**

contained in para 5 of the affidavit which records the routine movement in which the filing of appeal was processed. We are not impressed by the routine explanation furnished for delays filing of appeal.

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 recorded that the execution has been satisfied.

In view of the fact that the award has already given effect to and justifiable ground has not been placed on record to explain the long delay of 220 days in filing the appeal and 33 days in refiling 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