



CR-6161-2025

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

CR-6161-2025

Date of Decision: 15.09.2025

Union of India

.... Petitioner

Versus

M/s Sar Agencies

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Ms. Shalini Atri, Advocate
for the petitioner.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present petition has been filed under Article 227 of the Constitution of India challenging the order dated 06.07.2024 (Annexure P-6) passed by learned Additional District Sessions Judge, Bathinda whereby learned trial Court directed authorized officer to attach the movable property of the petitioner and also the order dated 07.05.2025 passed by learned Additional District Judge, Bathinda (Annexure P-7) vide which the petitioner was directed to pay the balance amount of ₹80,16,141.00 along with interest to the contractor/respondent.

2. Learned counsel for the petitioner submitted that there was an award for an amount of ₹79,29,850/- passed against the present petitioner being judgment debtor and it has already paid ₹1,32,48,258/- and further submitted that still the property of the petitioner has been attached by making wrong calculation.

3. I have heard the learned counsel for the petitioner.

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4. A perusal of the order dated 07.05.2025 (Annexure P-7) would show that it has been so observed that the petitioner-judgment debtor has nowhere specified while making the aforesaid payment of ₹1,32,48,258/- as to whether the said payment is towards principal amount or towards the interest and as such the same is to be treated firstly against the interest component or not. During the course of argument, learned counsel for the petitioner submitted that the interest which was granted at the time of passing of the award i.e. in the year 2015 has not been properly calculated.

5. On a query being raised to the learned counsel for the petitioner as to where are the detailed calculations with regard to the interest component which have been filed by the petitioner before the learned Executing Court to which she submitted that the petitioner will file the detailed calculation before the Executing Court.

6. The dispute in the present case appears to be only with regard to the calculation filed in the execution application under Section 36 of the Arbitration and Conciliation Act, 1996 for enforcement of the award. Normally this Court in view of Section 5 of the Arbitration and Conciliation Act, 1996 would not interfere in the proceedings under the Arbitration and Conciliation Act for enforcement of the award. However, so far as the calculation, which is disputed by learned counsel for the petitioner is concerned, the petitioner is always at liberty to move an appropriate application before the learned Executing Court to show as to how the interest component has exceeded the principal amount which was due against the petitioner and in case any fresh application is filed before the learned Executing Court, then the learned Executing Court shall forthwith consider the same and thereafter pass an order on the same.



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6. In view of the above, the present petition stands disposed of.

15.09.2025

(JASGURPREET SINGH PURI)
JUDGE

Bhumika

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| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |