



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

293

ARB-551-2024

Date of decision: 07.04.2025

M/S MAHAVIR RICE AND GENERAL MILLSAPPLICANT
Vs.
STATE OF HARYANA AND OTHERS ...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Pardeep Sehrawat, Advocate for
Mr. Vivek Goyal, Advocate
for the applicant.

Ms. Harsh Rekha Kapoor, AAG, Haryana.

Mr. B.R. Mahajan, Senior Advocate with
Mr. Prateek Mahajan, Advocate and
Mr. Mayank Vashishth, Advocate
for respondent No. 3.

JAGMOHAN BANSAL, J (ORAL)

1. The applicant through instant application under Section 11 of the Arbitration and Conciliation Act, 1996 (for short "1996 Act") is seeking appointment of an Arbitrator to adjudicate the dispute between the parties.
2. Mr. B.R. Mahajan, Senior Advocate submits that this Court vide order dated 10.12.2024 has dismissed identical application in **ARB-227 of 2019** titled as '**M/s Ganpati Rice & General Mills Vs. Haryana State Cooperative Supply & Marketing Federation Limited and another**' on the ground of criminal proceedings and exclusion clause. In this case also, FIR has been registered and criminal proceedings are pending against the partners i.e. Rakesh Jain and Punit Jain.
3. Mr. Pardeep Sehrawat, Advocate on being confronted with aforesaid order passed by this Court, expressed his inability to controvert

applicability of said order to instant case, however, submits that aforesaid order is under challenge before Supreme Court in *SLP (Civil) Diary No. 6638 of 2025* titled as ‘*M/s K.D. Overseas, Nilokheri Vs. State of Haryana and others*’.

4. Mr. Mahajan submits that there is no stay by Hon’ble Supreme Court, thus, instant application deserves to be dismissed in the same terms.

5. The issue involved herein is no more *res integra* and is squarely covered by order dated *10.12.2024* passed by this Court in *ARB-227 of 2019* titled as ‘*M/s Ganpati Rice & General Mills Vs. Haryana State Cooperative Supply & Marketing Federation Limited and another*’.

6. Dismissed.

07.04.2025
manoj

[JAGMOHAN BANSAL]
JUDGE

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