



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

292

ARB-550-2024

Date of decision: 07.04.2025

HIMANK RICE LAND

...APPLICANT

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.

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. Ms. Harsh Rekha Kapoor, AAG, Haryana 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 Proprietor i.e. Aman Mittal. She further submits that as per her instructions, he is absconding and has not joined investigation.

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



ARB-550-2024

-2-

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. Ms. Kapoor 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