



FAO-5414-2003 (O&M)

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

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**FAO-5414-2003 (O&M)
Date of decision :14.01.2026**

PUNJAB STATE CIVIL SUPPLIES**... APPELLANT****VERSUS****M/S D.M. OIL AND GENERAL INDUSTRIES AND OTHERS****...RESPONDENTS****CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL**

Present: Mr. Anil Sharma, Advocate
for the appellant.

PARMOD GOYAL, J. (ORAL)

1. The appellant is aggrieved by the dismissal of his petition filed under Section 34 of the Arbitration and Conciliation Act, whereby he had challenged the arbitral award vide impugned order dated 13.09.2003 passed by Additional District Judge, Chandigarh.

2. Admittedly, the petition under Section 34 was filed after a delay of about 11 months. The learned Court below, while relying upon the judgment of the Hon'ble Supreme Court in *Union of India v. M/s Popular Construction Co.*, 2002(1) R.C.R. (Civil) 124, rightly concluded that the Court has no power to condone the delay beyond the statutory period of four months, i.e. three months plus a further period of one month as provided under Section 34(3) of the Act. Since the petition was filed beyond the prescribed period of limitation, it was liable to be dismissed. I do not find any error in the conclusion drawn by the learned Court below. The delay of 11 months could not have been condoned in

view of the specific provisions of the Arbitration and Conciliation Act read with



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the Limitation Act, as interpreted by the Hon’ble Supreme Court in *Union of India* (Supra). Consequently, the appeal is dismissed.

3. Pending miscellaneous application(s), if any, also stand(s) disposed of accordingly.

14.01.2026
manoj

(PARMOD GOYAL)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	Yes/No