



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

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FAO-3789-2018 (O&M)
Date of Decision:12.01.2026

1.
M/S Jai Durga Rice Mills Jagadhri Road Sirasgarh District Ambala

.....Appellant

Versus

The Haryana State Co-operative Supply and Marketing Federation Ltd.
(HAFED) and another

.....Respondents

2.

FAO-4712-2018 (O&M)

M/s Ashoka Rice and General Mills

.....Appellant

Versus

The Haryana State Co-operative Supply and Marketing Federation Ltd.
(HAFED) and another

.....Respondents

3.

FAO-4875-2018 (O&M)

M/s Om Rice and General Mills, Mullana, District Ambala, Haryana

.....Appellant

Versus

The Haryana State Co-operative Supply and Marketing Federation Ltd.
(HAFED) and another

.....Respondents



4.

FAO-5819-2018 (O&M)

M/s Nagpal Rice Mills, Ambala-Jagadhri Road, Mullana, District Ambala,
Haryana

.....Appellant

Versus

The Haryana State Co-operative Supply and Marketing Federation Ltd.
(HAFED) and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Viren Jain, Advocate and
Ms. Jyoti Negi, Advocate for the appellant(s)
in all the cases.

Mr. Anil Chawla, Advocate for respondent No.1
in all the cases.

JASGURPREET SINGH PURI J.(Oral)

1. All the four appeals are taken up together for final disposal with the consent of all the learned counsels for the parties since the issues involved and the arguments addressed by the learned counsel for the appellant(s) are common in all the cases.

2. Learned counsel appearing on behalf of the appellant(s) submitted that in all the four cases, an agreement was entered into between the appellant(s) and respondent No.1 in the year 2009-10 pertaining to rice milling under which the last date for shelling and supply of rice was 31.03.2010, which was subsequently extended by the Government of India



up to 30.06.2010. The rice was to be supplied to the national agency i.e. the FCI. The dispute was between the parties pertaining to the time period and the quantity of rice shelled and due to existence of an arbitration clause, an arbitrator was appointed who passed an award which was partially in favour of the appellant(s). The appellant(s) thereafter preferred objections under Section 34 of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as 'the Act'), assailing the award on the ground that the learned Arbitrator failed to consider the extended date, besides raising various other objections. He submitted that, however, by way of the impugned orders, learned Additional District Judge, Panchkula, while deciding the objections under Section 34 of the Act, has not even touched the merits of the case. He submitted that when objections under Section 34 of the Act are to be decided, it is to be seen and considered by the concerned Court as to whether any of the parameters of Section 34 of the Act, which form the grounds for challenge, are satisfied or not. He submitted that a perusal of the impugned orders would show that all four orders are similar and verbatim and the learned Court, while deciding the objections, has straightaway dismissed the objections in the operative part of the orders without addressing the specific grounds, even though they were referred to in the pleadings of the parties. He submitted that only general legal propositions have been discussed and therefore, the orders passed by learned Additional District Judge, Panchkula, are erroneous and cannot be sustained and are liable to be set aside.

3. On the other hand, learned counsel appearing on behalf of



respondent No.1 in all the cases submitted that the award passed by the learned Arbitrator cannot be interfered with on merits by the learned Court while hearing objections under Section 34 of the Act and this was the reason as to why the objections were dismissed, which is clear from a perusal of the impugned orders in all the four cases. He also submitted that the scope of Section 37 of the Act is very limited and therefore, the award passed by the learned Arbitrator cannot be interfered with on merits and, consequently, all the appeals are liable to be dismissed.

4. I have heard the learned counsels appearing for the parties and perused the orders in all four appeals.

5. At the outset, a perusal of all the four orders would show that after noting down the contentions of the parties, the observations of the Court start from Para No.11. A comparison of all the four orders would show that till the conclusion, the orders in all four cases are almost verbatim, although the facts are stated to be different. The argument of the learned counsel for the appellant(s) is that learned Court hearing the objections under Section 34 of the Act ought to have at least considered the grounds taken under Section 34 of the Act, but even after noting them, the same were not touched upon and this submission made by the learned counsel for the appellant(s) is well founded.

6. There is no doubt that scope of Section 34 of the Act is very limited and a person who has filed objections under Section 34 of the Act has to satisfy the Court, on the basis of the fact that the same falls within one of



the parameters contained under Section 34 of the Act. Similar is the position when an appeal is filed under Section 37 of the Act, where the scope is also limited. However, this would not mean that the Court hearing the objections under Section 34 of the Act will not even touch upon the contentions and objections raised by the objecting party. A perusal of all the four orders would show that a generalized proposition of law has been mentioned in the aforesaid orders without even advertng to the facts of the case. Therefore, all the impugned orders are erroneous in nature. The Court hearing the objections ought to have discussed the objections and while applying the law to the facts of the case, ought to have decided the objections in accordance with law, which is absent in the present case.

7. In view of the aforesaid facts and circumstances, all the four appeals are allowed. The orders dated 17.01.2018 passed by the learned Additional District Judge, Panchkula, are hereby set aside, and all the four appeals are remanded back to the learned Additional District Judge, Panchkula, for passing fresh orders in accordance with law.

8. The fresh orders shall be passed within a period of four months from today, with a fresh application of mind and uninfluenced by the earlier orders dated 17.01.2018 passed by the learned Additional District Judge, Panchkula and the present order passed by this Court, since this Court has set aside the orders only for the reason that the learned Court has not even discussed or touched the facts of the case in the operative part of the orders.

9. Needless to say that the fresh orders, which are to be passed for



adjudicating the objections under Section 34 of the Act, shall be passed after hearing all the parties or their counsels. Parties are directed to appear before the learned Additional District Judge, Panchkula, on 12.02.2026.

(JASGURPREET SINGH PURI)
JUDGE

12.01.2026

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