



133  
IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CR-715-2025 (O&M)  
Date of Decision:12.08.2025

**Rakesh Kumar and another**

....Petitioner(s)

**Versus**

**Union of India and others**

....Respondent(s)

**CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI**

Present: Mr.Ranjit Saini, Advocate,  
for the petitioners.

Mr. Somesh Arora, Addl. A.G,Punjab.

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**JASGURPREET SINGH PURI, J. (Oral)**

1. The present petition has been filed under Article 227 of the Constitution of India for issuance of appropriate directions to learned Additional District Judge, Bathinda to decide the application under Section 36(2) of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as 'the Act') filed in ARB No.93/2019, titled as *Union of India and others Versus Rakesh Kumar and others*, prior to deciding the objection petition under Section 34 of the Act.

2. Learned counsel appearing on behalf of the petitioners submitted that the objections under Section 34 of the Arbitration and Conciliation Act, 1996 are pending before the learned Additional District Judge, Bathinda from the year 2019 and alongwith that an application under Section 36(2) of the Act was filed seeking grant of stay but the same has not even been adjudicated till



date. He submitted that the only limited prayer in the present petition is for issuance of a direction to the learned Additional District Judge, Bathinda to consider and decide the application under Section 36(2) of the Act in accordance with law within a time frame work.

3. Notice of motion to respondents No.1 to 4 only.

4. Mr. Lalit Attri, Central Govt.Counsel has appeared on behalf of respondents No. 1, 3 and 4 and Mr. K.S. Kang, Advocate has appeared on behalf of respondent No.2. Both the learned counsels for the respondents have submitted that considering the limited prayer made by the learned counsel for the petitioners that the stay application under Section 36(2) of the Act be decided in accordance with law within a time frame work, they have no objection with regard to the same since the objections and the application for stay are pending from the year 2019.

5. In view of the aforesaid facts and circumstances and the submissions made by the learned counsels for the parties, the present petition is disposed of with a direction to learned Additional District Judge, Bathinda to consider and decide the application under Section 36(2) of the Act which is stated to be pending within a period of two months from today and in accordance with law.

6. A copy of this order be sent to the concerned Court.

**12.08.2025**

*rakesh*

**(JASGURPREET SINGH PURI)**

**JUDGE**

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