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

CR-2715-2025

Date of Decision: 12.05.2025

STATE OF PUNJAB

..... PETITIONER

VERSUS

M/S V.K. GUPTA AND ASSOCIATES, ENGINEER AND
CONTRACTORS AND ANOTHER

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Balwinder Singh, Assistant Advocate General, Punjab.

TRIBHUVAN DAHIYA, J. (ORAL)

The petition has been filed *inter alia* seeking a direction to learned Additional District Judge, SAS Nagar, Mohali, to decide the petitioner's application seeking stay on execution of award dated 18.07.2018 filed along with the objection petition, ARB/6/2023, under Section 34 of the Arbitration and Conciliation Act, 1996 (for short, 'the Act').

2. Learned counsel contends that after passing of award, dated 18.07.2018, the petitioner filed an objection petition under Section 34 of the Act at Amritsar, which was returned vide order dated 18.11.2022, for filing the same in the court of competent jurisdiction. Thereupon, the objection petition was filed afresh before learned Additional District Judge, SAS Nagar, Mohali, whereupon notice was issued to the respondents on



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12.01.2023. The respondents appeared and filed reply to the application for stay on 21.03.2024, and the matter was adjourned to 25.04.2024 for consideration. Ever since the matter is being repeatedly adjourned and the application could not be decided; it is now listed for consideration tomorrow. In the meanwhile, the respondents have filed an execution application before learned Additional District Judge, Amritsar, whereupon notice has been issued to the petitioner. It is further submitted that in case the stay application is not decided, grave prejudice will be caused to the petitioner.

3. Keeping in view the nature of direction being issued which is not to the prejudice of the respondents, service of notice on them has been dispensed with.

4. In view of the facts aforementioned, and taking into account that long pendency of the application for stay on execution of the award does not serve the interests of justice, the petition is disposed of with a direction to learned District Judge, SAS Nagar, Mohali, to consider and decide the petitioner's application for stay within a period of four weeks from today.

(TRIBHUVAN DAHIYA)
JUDGE

12.05.2025

Sima

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*