

ARB-67-2018

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

ARB-67-2018

Date of decision:-24.01.2024

M/s Goyal Rice Mill Nissing, District Karnal through its partners

...Petitioners

Versus

State of Haryana and ors.

...Respondents

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present : Mr.Pardeep Sehrawat, Advocate for
Mr.Vivek Goyal, Advocate
for the petitioners.

Mr.Sharad Aggarwal, DAG, Haryana.

SUVIR SEHGAL, J.(ORAL)

1. By way of instant petition filed under Section 11 (6) of the Arbitration and Conciliation Act, 1996 (for short "the Act"), petitioner has approached this Court for appointment of an arbitrator in terms of Clause 26 of agreement dated 14.10.2014, Annexure P1, entered into by the petitioner with the Governor of Haryana through District Food & Supplies Controller, Kaithal.

2. On 15.01.2024, this Court passed by the following order:

*"Present: Mr.Sachin Kamboj, Advocate for
Mr.Vivek Goyal, Advocate
for the petitioner.*

Mr.Sharad Aggarwal, DAG, Haryana.

This petition was (sic was) dismissed for non-prosecution twice and was restored on applications moved by the petitioner.

By referring to Annexure P3 in the paper-book supplied to the respondents, State counsel submits that notice invoking the arbitration clause appended therewith has been sent by M/s G.R. International, whereas the petition has been preferred by a different party.

On persistent request made by arguing counsel for the petitioner, list on 18.01.2024.”

3. Today, counsel for the petitioner seeks and is granted permission to withdraw the petition with liberty to file a fresh one after following the procedure prescribed under the Act.

4. Dismissed as withdrawn with liberty as aforesaid.

5. This liberty shall not be taken to be an extension of period of limitation and in case petitioner invokes the arbitration clause, it shall be open to the respondents to take all the objections available to them in accordance with law.

(SUVIR SEHGAL)
JUDGE

24.01.2024

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Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No