



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

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**CR-7358-2025**

**Date of Decision: 15.10.2025**

M/S GABA RICE MILLS THROUGH ITS PARTNER

...Petitioner

Vs.

PUNJAB STATE WAREHOUSING CORP. AND ORS. ...Respondents

**CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present:- Mr. Naveen Batra, Advocate for the petitioner

Mr. Athar Ahmed, Advocate for respondents No.1 and 2

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**JAGMOHAN BANSAL, J. (ORAL)**

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 28.09.2023 whereby its petition under Section 34 of Arbitration and Conciliation Act, 1996 was dismissed on the ground of non-prosecution.

2. Learned counsel for the petitioner submits that petitioner's counsel did not appear before learned ADJ, Patiala due to reasons best known to him. There was no fault on the part of the petitioner and it should not be made to suffer. The petitioner has strong *prima facie* case on merits. It is ready to pay costs to respondents.

3. Learned counsel for the respondents who on advance notice is present in Court, does not seriously dispute prayer of the petitioner and submits that counsel for the petitioner multiple times did not appear

before the Court below. The petitioner is attempting to delay the matter.

4. I have heard learned counsel for the parties and perused the record of the case.

5. The Court below has dismissed main petition on the ground of non-prosecution. The petitioner is ready to pay costs to respondents. No prejudice would be caused to respondent if the matter is adjudicated on merits.

6. Considering the facts and circumstances of the case, this Court finds it appropriate to set aside impugned order and direct learned ADJ, Patiala to adjudicate objection petition on merits. It is made clear that petitioner would pay costs of Rs.25,000/- to respondent on or before 30.10.2025 and appear before learned ADJ, Patiala on 30.10.2025. It would not seek adjournment on any ground and address arguments.

7. Disposed of in above terms

8. Pending application(s), if any, stands disposed of.

**(JAGMOHAN BANSAL)**  
**JUDGE**

**October 15, 2025**

*Deepak DPA*

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No