



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

113

CR-2615-2025

Decided On: 01.05.2025

UNION OF INDIA AND ANOTHER

....PETITIONER(s)

Versus

M/S MANOJ KUMAR AND ANOTHER

....RESPONDENT(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Ms. Garima Kuthiala Prashar, Advocate for
Mr. Chander Mohan Sharma, Advocate
for the petitioners.

TRIBHUVAN DAHIYA J.(Oral)

The petition has been filed for setting aside the order, dated 11.03.2025, passed by the Executing Court/Civil Judge (Senior Division), Kapurthala, whereby the application filed by the judgment debtor (petitioner herein) seeking stay of execution proceedings has been dismissed.

2. Learned counsel contends that the petitioners have already filed the objections under Section 34 of the Arbitration and Conciliation Act, 1996 (for short, 'the 1996 Act') against the award dated 08.10.2021, which is pending adjudication before the District Judge as case no.ARB/2/2022, and despite its pendency Executing Court is proceeding to enforce the award and has declined to grant stay which will render the objections infructuous.

3. It is not disputed that the petitioner/judgment debtor was not granted stay on an application statedly moved on its behalf along with the objections dated 15.12.2021.

4. In view of provisions under Section 36(2) of the 1996 Act, mere filing of objections to set aside the arbitral award does not by itself render the award unenforceable. Accordingly, no exception can be taken to the



impugned order dated 11.03.2025, insofar as it has dismissed the petitioner's application for stay of the execution petition proceedings.

5. In view thereof, there is no ground to entertain the present petition and it stands dismissed *in limine*.

01.05.2025

Ad

**(TRIBHUVAN DAHIYA)
JUDGE**

*Whether speaking/reasoned?
Whether reportable?*

*Yes/No
Yes/No*