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

ARB-293-2021 (O&M)

Date of decision : 22.04.2021

Ashok Kumar Garg

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE G.S. SANDHAWALIA

Present: Mr. Sunil K. Sahore, Advocate for the petitioner.

(The proceedings are being conducted through video conferencing, as per instructions)

G.S. SANDHAWALIA, J. (ORAL)

Counsel does not press the present petition for the appointment of Arbitrator in view of the wording of Clause 24.2 of the Contract, since admittedly, the concerned Superintending Engineer has not decided the issue. The denial as such for payment is only on account of the fact that Haryana Roadways Department has not deposited the balance fund as per the reply to the notice dated 13.10.2020 (Annexure P-5).

Keeping in view the above facts, the present arbitration petition is dismissed as withdrawn with liberty to avail alternative remedy.

22.04.2021

Pawan

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned:- Yes

Whether reportable:- No