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

**FAO No.2545 of 2009 (O&M)
Date of decision:29.09.2010.**

Punjab State Civil Supplies Corporation Limited & another ...Appellants

Versus

M/s Jagraon Rice & General Mills, Jagraon and others ...Respondents

CORAM: HON'B LE MR. JUSTICE RAKESH KUMAR JAIN

Present: Mr. C.S.Bakshi, Advocate,
for the appellants.

RAKESH KUMAR JAIN, J.

This appeal is filed by the Punjab State Civil Supplies Corporation Limited, Chandigarh along with CM No.12340-CII of 2009 for making the deficiency of court fee good on the Memo of Parties and Power of Attorney and for condonation of delay of 602 days in making the deficiency of court fee good , CM No.12341-CII of 2009 under Section 5 of the Limitation Act, 1963 for condonation of delay of 356 days in filing of the appeal and CM No.12342-CII of 2009 under Section 151 of the Code of Civil Procedure, 1908 for condonation of delay of 368 days in re-filing of the appeal. The appeal, namely, FAO No.2545 of 2009 is directed against the order of learned Additional District Judge, Chandigarh dated 14.12.2006 by which objection filed by the appellants under Section 34 of the Arbitration and Conciliation Act, 1996 [for short "the Act"] against the arbitral award dated 13.06.2001, has been dismissed being without any merit.

Not only there is no ground to condone the delay in filing of

the appeal because a false stand has been taken in the application but also there is no merit in the appeal as learned counsel for the appellant failed to raise any ground in order to challenge the finding recorded by the Court below while dismissing the objection under Section 34 of the Act. Hence the present appeal, being devoid of any merit, is dismissed in limine.

Before parting with this order, I am constrained to observe that the respondent No.1-Corporation should not file this kind of frivolous appeals in this Court in which there is delay at every step, be that it may be in making the deficiency of court fee good, filing and re-filing of appeal and also there is no merit in it. These type of appeals unnecessarily add to the pendency of cases in this Court and also enhances wasteful expenditure of the public money.

Let a copy of this order be sent by the Registry to the Managing Director of the respondent No.1 – Corporation.

September 29, 2010.
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(RAKESH KUMAR JAIN)
JUDGE