

(2023) 11 SHI CK 0022
In the High Court Of Himachal Pradesh
Case No : Arbitration Case No.871 Of 2023

Executive Engineer, Swan River Flood Management Project
Division, Haroli

APPELLANT

Vs

H.S. Engineering And Associates And Others

RESPONDENT

Date of Decision : 04-11-2023

Acts Referred:

Arbitration And Conciliation Act, 1996 — Section 27

Citation : (2023) 11 SHI CK 0022

Hon'ble Judges : Virender Singh, J

Bench : Single Bench

Advocate : Suneet Goel, B.N. Sharma

Final Decision : Allowed/Disposed Of

Judgement

Virender Singh, J

1 .By way of the present application, filed under Section 27 of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as 'the Act'), a prayer has been made for issuing process to the witnesses to attend the Arbitral Tribunal on 25th and 26th November, 2023, for getting their statements recorded in the Arbitration Case, pending adjudication before the learned Arbitrator inter se the parties, as captioned hereinabove.

2. The averments contained in the application, which is duly supported by an affidavit, suggest that the persons named at serial No. (iii) and (iv), in para 4 of the application, are required to give their evidence in the Arbitration Case, pending before the learned Arbitrator and as such, the prayer made in the instant application, deserves to be allowed.

3. Consequently, in view of the above, the present application is allowed and the Registry is directed to issue process to the persons, named at serial No. (iii) and (iv), in para 4 of the application, asking them to appear before the learned Arbitrator on 25th and 26th November, 2023, at 11. 00 a.m., at Hotel PMR, Una,

H.P., to depose in the case captioned hereinabove. Dasti summons be issued, if so desired.

4. The application stands disposed of accordingly.