
(2022) 08 OHC CK 0174
In the Orissa High Court
Case No : ARBA No.35 Of 2012

Union Of India And Another		APPELLANT
	Vs	
D.D. Champatiray		RESPONDENT

Date of Decision : 25-08-2022

Acts Referred:

Arbitration and Conciliation Act, 1996 — Section 34

Citation : (2022) 08 OHC CK 0174

Hon'ble Judges : Arindam Sinha, J

Bench : Single Bench

Advocate : Gyanalok Mohanty, A. Sangneria

Final Decision : Disposed Of

Judgement

Arindam Sinha, J

1. Mr. Mohanty, learned advocate appears on behalf of appellant (Union of India). He submits, the reference was conducted such that there was misconduct by the Tribunal. His client was not heard inasmuch as the contentions in defence and counter claims could not be properly put forward in the reference. His client had petitioned for setting aside the award under section 34 in Arbitration and Conciliation Act, 1996. The Court below erred in not appreciating his client's grievance, which is why the appeal.

2. On query from Court Mr. Mohanty submits, one awarded claim was set aside by the Court below. On further query from Court Mr. Sangneria appearing on behalf of respondent submits, cross objection was not preferred by his client.

3. Perused impugned order dated 10th April, 2012. In paragraph-9 there are reasons given for satisfaction of the Court below that there was no misconduct by the Tribunal.

4. There is no merit in the appeal.

5. It appears appellant had made deposit of Rs.4,80,788/-, held to credit of the

appeal in a interest bearing account. Respondent is at liberty to apply for payment of the deposit in execution.

6. The appeal is disposed of.

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