

Arb. Act No. 41 of 2025 Pushpa Devi Vs LAO etc.

21.07.2026

Present: Sh. Ankur Sharma, Ld counsel for the petitioner
Sh. Vinod Bhardwaj, Ld DA for respondent no. 1
Ms Sunita Verma, Ld vice counsel for resp. no. 2

Case is fixed for arguments today. The learned counsel for the petitioner submits that the petitioner has died 4-5 months ago. Perusal of case file shows that the present petition under section 34 of the Arbitration and Conciliation Act has been filed through her SPA Sh. Dinesh Sharma. Perusal of special power of attorney further shows that the SPA has been given by the petitioner Pushpa Devi in favour of Sh. Dinesh Sharma to file the petition under section 3G(5) of the National Highway Act only. There is nothing on record whereby it can be inferred that the executor Pushpa Devi has authorised her SPA to file a petition under section 34 of the Arbitration and Conciliation Act. Therefore a question of maintainability of filing petition by an SPA under section 34 of the Arbitration and Conciliation Act arises. The learned counsel for the petitioner is directed to satisfy this Court qua the maintainability of this petition which has been filed through SPA. Case file be put up for the purpose on 17.08.2026.

(Paras Doger)
District Judge, Mandi