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

CR No.3417 of 2026 (O&M)

Date of Decision:-14.05.2026

State of Punjab

.....Petitioner.

Versus

M/s ASC Builders Private Limited

.....Respondent.

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present:- Mr. Somesh Arora, Addl. Advocate General, Punjab and
Ms. Shiny Chopra, AAG, Punjab.

VIKRAM AGGARWAL, J. (Oral)

1. The instant revision petition, preferred under Article 227 of the Constitution of India, assails order dated 04.01.2026 (Annexure P-1) passed by learned sole Arbitrator vide which the right of the petitioner to file statement of defence was closed.

2. The facts, as emanating from the revision petition, are that certain disputes arose between the parties to the *lis* out of the contract entered into between them in relation to execution of works for the construction of "Central Sudhar Ghar" at Goindwal Sahib, District Tarn Taran. Vide order dated 26.05.2025, an Arbitrator was appointed to adjudicate upon the disputes between the parties. Learned Arbitrator entered upon the reference. Parties appeared before the learned Arbitrator. Ultimately, a statement of claim was instituted. However, vide order dated



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04.01.2026, the right of the petitioner to submit statement of defence was closed leading to the filing of the instant revision petition.

3. Learned counsel for the petitioner submits that erroneously, an e-mail was sent seeking an adjournment whereas physical appearance should have been put in. He submits that it was a *bona fide* error, but the order is unduly harsh. He prays that one opportunity may be granted to the petitioner to submit its statement of defence, failing which the rights of the petitioner shall be gravely prejudiced.

4. Though notice of motion has not been issued, Mr. Shubham Kaushik, Advocate, has put in appearance on advance copy having been served. He submits that he would have no objection in case such an opportunity is granted.

5. Having considered the submissions made by learned counsel for the parties, the instant revision petition is allowed. One opportunity is granted to the petitioner to submit its statement of defence subject, of course, to an undertaking that the procedure established by law shall be followed.

Pending application(s), if any, shall also stand disposed of.

May 14, 2026
Yag Dutt

(VIKRAM AGGARWAL)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No