

SLP(C)No. 8201 OF 2001

ITEM No.46

Court No. 3

SECTION IVB
A/N MATTER

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.8201/2001
(From the judgement and order dated 29/08/2000 in CR 2452/2000
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

SUSHIL KUMAR

Petitioner (s)

VERSUS

HARYANA STATE & ORS.
(With Appln(s). for c/delay in filing SLP and with
prayer for interim relief)

Respondent (s)

Date : 04/02/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE G.B. PATTANAİK
HON'BLE MR. JUSTICE BRIJESH KUMAR

For Petitioner (s) Mr. Ranbir Singh Yadav,Adv.

For Respondent (s) Mr. Neeraj Kumar Jain, Adv.
Mr. J.P. Dhanda,Adv.

UPON hearing counsel the Court made the following
O R D E R

.....L.....I.....T.....T.....T.....T.....T.....J
.SP2

Heard Mr. Ranbir Singh Yadav, learned counsel
for the appellant and Mr. Neeraj Kumar Jain, learned
counsel for the respondents for about five minutes
each.

Delay condoned.
Leave granted.

The appeal is allowed in terms of the signed
order.

.SP1

(Janki Bhatia)
Court Master

(Kanchan Jain)
AR-cum-PS

Signed order is placed on the file.

.PA

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 956 OF 2002@@
CCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCC
arising out of
SPECIAL LEAVE PETITION(C) NO. 8201 OF 2001@@
CCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCC

Sushil Kumar

....Appellant

VS.

State of Haryana & Ors.

....Respondents

O R D E R@@
CCCCCCCC

.....L.....I.....T.....T.....T.....T.....T.....J
.SP2

Leave granted.

The order of the High Court in Civil Revision interfering with the order of the learned Civil Judge is the subject matter of challenge of this appeal. The learned Civil Judge appointed Shri M.P. Vacher, Chief Engineer, PWD as the Arbitrator, to which the learned Government Pleader, Shri Yadav had no objection. In view of the concession of the Government pleader, the High Court erred in interfering with that order relating to the appointment of the Arbitrator - Shri M.P. Vacher.

The impugned order of the High Court is, accordingly, set aside. The appeal is allowed and Shri M.P. Vacher, who had been appointed as Arbitrator, should continue with the proceedings.

.SP1

.....J.
(G. B. PATTANAİK)

.....J.
(BRIJESH KUMAR)

New Delhi
February 4, 2002.