êITEM NO.47 COURT NO.2 SECTION IVB

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(s).16477/2010

(From the judgement and order dated 26/03/2010 in FAO No. 3645/2008 of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

KWALITY RESORTS & HOSPITALITY LTD. Petitioner(s)

VERSUS

D.B.JAIN Respondent(s)

(With prayer for interim relief)

Date: 31/05/2010 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE C.K. PRASAD
(VACATION BENCH)

For Petitioner(s) Mr. N.K. Kaul, Sr. Adv.
Ms. Radhika Gautam, Adv.
Mr. Rishi Agrawala, Adv.
For Mr. E.C. Agrawala,Adv.

For Respondent(s)

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

This petition is directed against the judgment of the learned Single Judge of Punjab and Haryana High Court dismissing the appeal preferred by the petitioner against the order of the trial Court, who rejected the application filed under Section 9 of the Arbitration and Conciliation Act, 1996.

We have heard learned counsel for the petitioner at some length and carefully perused the record. In our view the reasons assigned by the High Court for refusing to entertain the petitioner's prayer for restraining the respondent

from alienating the property in question till the disposal of the matter by the Arbitrator does not suffer from any legal error requiring interference under Article 136 of the Constitution of India.

The special leave petition is, accordingly, dismissed.

(Neetu Khajuria)
Sr.P.A.

(Phoolan Wati Arora)
Court Master