

HIGH COURT MATTER

Himachal Pradesh
Public Works Department

No.PW-CTR-32-20/Gen. Instr./2012- 14801-14900
To

Dated: 6/12/12

All the Superintending Engineers
in Himachal Pradesh PWD.

All the Executive Engineers
in Himachal Pradesh PWD

Subject:-


**Recourse against arbitral award Section 34(3) of
Arbitration & Conciliation Act, 1996.**

It has been observed that proper and timely recourse against the arbitral award wherever required, is not being taken by the Executive Engineer/ concerned. In case either party is dis-satisfied with the Arbitrator, recourse/appeal is required to be made within 3 months as per the provision of Section 34(3) of Arbitration and Conciliation Act, 1996. However, in case the department fails to do so wherever necessary and there are strong and pressing grounds which prevented the filing of such application within the said period of 3 months an additional period of 30 days, if satisfied, can be allowed by the Court. This means that no time extension is admissible after the expiry of 3 months plus 30 days.

In view of the above position it may be ensured that wherever required appeal/objection may be filed in time to avoid any financial/legal complications.

Engineer-in-Chief,
HP.PWD, Nigam Vihar,
Shimla-2.

Copy to all the Chief Engineers in HP.PWD for information.
Copy to Nodal Officer (IT) Nirman Bhawan, Nigam Vihar,
HP.PWD, Shimla for information


30.11.12
Engineer-in-Chief,
HP.PWD, Nigam Vihar,
Shimla-2