

IN THE COURT OF THE PRL. DISTRICT AND SESSIONS JUDGE,

BAGALKOT

AS. 1/2018

DD. 06-07-2019

ORDER

The applicant is challenging the award passed by the respondent No.3 under S.34 of Arbitration and Conciliation Act, 1996. The same is registered as suit. In view of Division Bench decision of Hon'ble High Court of Karnataka in MFA No.25323/2012, (National High Way Authorities of India Vs. Mahadevi w/o Gurayya Hiremath and others), wherein it has been observed and held that where an application is filed under S.34 of Arbitration and Conciliation Act, 1996 to set aside the award on any of the grounds enumerated therein, then such applications will have to be registered as Arbitration Applications and not the suits. Hence, in view of the principles enunciated in the above referred decision, the office is directed to register the application filed under S.34 of Arbitration and Conciliation Act, 1996 as Arbitration Application i.e. A.A. in the concerned register and thereafter put up for further orders by 29.7.2019.

Sd/-

Prl. District & Sessions Judge, Bagalkot.