IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Arb. Apeal No.2 of 2019.

Date of decision: 13.10.2026.

Hindustan Petroleum Corporation Limited .....Appellant.

Versus

Rohit Kashyap .....Respondent.

Coram

The Hon'ble Mr. Justice Romesh Verma, Judge.

Whether approved for reporting?[1]

For the Appellant : Mr. Nitin Thakur, Advocate.

For the Respondent : Mr. Narender Sharma, Advocate.

Romesh Verma, Judge (Oral)

The instant appeal has been filed by the Hindustan Petroleum Corporation Limited assailing the judgment as passed by the learned District Judge, Shimla, dated 22.11.2018, whereby objections under Section 34 of the Arbitration and Conciliation Act, 1996, filed by the respondent, came to be allowed and the award as passed by the learned Arbitrator was set aside.

2. The facts, as emerge in the present case, are that a claim petition was filed by the present appellant before the sole

---

[1] *Whether the reporters of the local papers may be allowed to see the Judgment?Yes*

High Court of H.P.

::: Downloaded on - 05/11/2026 19:50:51 :::CIS

Arbitrator and the same came to be allowed as per the award which was passed by Shr. Swapan Kumar Chaudhary, sole Arbitrator, on 28.12.2015.

3. Feeling dis-satisfied, the present respondent had preferred objections in the Court of learned District Judge, Shimla and the said objections were allowed and the claim petition as filed by the present appellant came to be dismissed.

4. Still feeling dis-satisfied, the appellant-Hindustan Petroleum Corporation Limited has approached this Court by filing the instant appeal.

5. After hearing for some time, it has been contended by learned counsel for the respondent that his client is ready to pay the entire principal amount to the present appellant in case some concession is made by them.

6. This Court had directed Shri Nitin Thakur, learned counsel for the appellant, to have instructions in the matter. Today, he has placed on record e-mail whereby, on instructions, it has been submitted that the Management has given approval for considering interest at the rate of 7.85% for settlement of present dispute.

7. Therefore, the present respondent has fairly conceded that his client is agreeable to pay the entire principal amount @

High Court of H.P.

::: Downloaded on - 05/11/2026 19:50:51 :::CIS

7.85% interest to the appellant in order to resolve the dispute for all times to come.

8. It has further been contended by learned counsel for the respondent that some amount has already been paid to the appellant and the same shall be excluded while making out calculation qua the principal amount.

9. Consequently, the present appeal is disposed of on the basis of the statement of learned counsel for the respondent whereby on instructions he has agreed to pay the principal amount alongwith interest @ 7.85% to be paid to the appellant (excluding the amount which already stood paid to the appellant, if any) within a period of twelve weeks from today positively, failing which, the interest shall be levied on the respondent as per the award.

10. It is made clear that this order shall not be treated as a precedent in future.

11. With these observations, the present appeal stands disposed of, alongwith pending application, if any.

(Romesh Verma)
Judge

13th October, 2026.
(**krt**)

High Court of H.P.

::: Downloaded on - 05/11/2026 19:50:51 :::CIS