

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CR No.8634 of 2015 (O&M)

Date of decision : 19.12.2015

M/s Singla Construction Company

...Petitioner

Versus

Union of India and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL.

1. Whether reporters of local newspapers may be allowed to see judgment ?
2. To be referred to reporters or not ?
3. Whether the judgment should be reported in the Digest ?

Present: Mr. Harbans Lal Singla, Petitioner in person.

AMIT RAWAL, J. (Oral)

The petitioner in person is aggrieved of the impugned order dated 05.10.2015, whereby application filed for dismissal of objection petition filed under Section 34 of the Arbitration and Conciliation Act, 1996, has been dismissed.

Mr. Harbans Lal Singla, petitioner in person submits, that Arbitrator was appointed by this Court vide order dated 25.04.2014 and Arbitrator passed the award on 27.02.2015 and the objection if any is maintainable before the High Court and not before the Executing Court.

The lower Court has declined the plea of the petitioner on the ground that it had jurisdiction to decide the objection petition and had relied

upon the judgment rendered by Hon'ble Supreme Court of India in the case titled as *M/s J.G. Engineers Pvt. Ltd. Versus Union of India and another, cited as 2011(3) Apex Court Judgments 066 (SC)* wherein it has been held as follows:-

“Execution of work relating to extension of terminal building at airport awarded to the appellant- Dispute having arisen- Matter referred to Arbitration- Application filed u/s 34 of the Act in the District Court for setting aside the award dismissed. High Court though finding no infirmity in the order of District Judge, still set aside the award- Order cannot be sustained.”

Keeping in view the aforementioned fact, I am of the view that objection taken by moving application vis-a-vis challenge to the jurisdiction of the Objecting Court was not maintainable. However, the petitioner shall be at liberty to raise all such objections at the time of final arguments of the objection petition.

With the aforementioned observations, I do not intend to differ with the findings rendered by the Court below.

Accordingly, present revision petition stands dismissed.

It is directed that objection petition shall be decided as expeditiously as possible within a period of eight months from the date of receipt of certified copy of this order.

19.12.2015

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**(AMIT RAWAL)
JUDGE**