

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of decision : 09.03.2015

1. FAO No. 194 of 2010 (O&M)

M/s Garg Rice and General Mills, Bikhi road, Budhlada, District Mansa

.....Appellant

vs

Punjab State Cooperative Supply & Marketing Federation Ltd. and another
.....Respondents

2. FAO No. 394 of 2010 (O&M)

Sardar Exports Limited, Bhawanigarh Road, Samana, District Patiala &
others

.....Appellants

vs

Punjab State Cooperative Supply & Marketing Federation Ltd. and others
.....Respondents

3. FAO No. 2019 of 2010 (O&M)

M/s Lucky Traders, Sunam, District Sangrur

.....Appellant

vs

Punjab State Cooperative Supply & Marketing Federation Ltd. and another
.....Respondents

Coram : Hon'ble Mr. Justice Kuldip Singh

Present : Mr. Mukand Gupta, Advocate
for the appellant(s).

Mr. Deepak Sabharwal, Advocate
for respondent No. 1 in FAO No. 394 of 2010.

Mr. Rakesh Gupta, Advocate
for the respondents.

Kuldip Singh, J.

This order shall dispose of FAO Nos. 194, 394 and 2019 of
2010. A perusal of the file shows that challenge in the present petition was

the order dated 10.04.2009 passed by learned Addl. District Judge, Chandigarh vide which while dealing with the objections under Section 34 of the Arbitration and Conciliation Act (hereinafter referred to as 'the Act'), it was held that the Court at Chandigarh has got no jurisdiction to try and decide the petition. Accordingly, the objections petition was ordered to be returned for presenting the same before the competent court of jurisdiction.

Further perusal of file shows that this Court vide order dated 17.12.2013 had held that the finding of the trial Court regarding want of jurisdiction are set aside. Therefore, I am of the view that the objections under Section 34 of the Act are needed to be decided on merits by the learned Addl. District Judge, Chandigarh. It being so, the petition is allowed. The learned Addl. District Judge, Chandigarh is directed to decide the objections filed under Sections 34 of the Act, on merits.

Both the parties are directed to put up appearance before the successor court of Ms. Raj Rahul Garg, the then Addl. District Judge, Chandigarh on 24.03.2015.

Copy of this order be placed on the files of connected cases.

(Kuldip Singh)
Judge

09.03.2015
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