

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

CWP No. 6524 of 2015(O&M)

Date of decision : 11.05.2015

Union of India

.... Petitioner

versus

**The Micro Small Medium Enterprises
Facility Council of Haryana and others**

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Puneet Jindal, Sr. Advocate with
Mr. Varun Goyal, Advocate for the petitioner.

Mr. Ashok Singh Chaudhary, Addl. AG, Haryana.

Mr. Sudhanshu Makkar, Advocate for the respondents.

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

AJAY TEWARI, J. (Oral)

Reply has been filed and the same is taken on record.

In this petition the petitioner had challenged the arbitration proceedings which were initiated by the respondents on two grounds. First was that the Directorate General of Supplies and Disposals was a necessary party and the second was that there was a specific arbitration clause in the contract.

As regards first objection learned counsel for respondent No.1 points out that by order dated 26.03.2015 the sole arbitrator having accepted the plea of the present petitioner has impleaded the

Directorate General of Supplies and Disposals as respondent. In the circumstances the first ground of challenge falls.

As regards the second ground of challenge it has been agreed by learned counsel that the objection to the jurisdiction of the Arbitral Tribunal will be decided by the Arbitral Tribunal as a preliminary issue before proceeding further on the merits of the matter.

In this view of the matter this petition is disposed of in the above terms.

(AJAY TEWARI)
JUDGE

May 11, 2015
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