

**IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH**

**FAO No. 7050 of 2015**  
**Date of decision : November 4, 2015**

**Union of India and another**

**..... Appellants**

**Versus**

**Sukhwinder Singh and others**

**..... Respondents**

**CORAM: HON'BLE MR. JUSTICE AMIT RAWAL**

Present:- Mr. R. S. Madan, Advocate  
for the appellants.

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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?

**Amit Rawal, J (oral).**

The challenge in the present appeal is to the order dated 17.8.2015 whereby the petition under Section 34 of the Arbitration and Conciliation Act, 1996 (hereinafter called as 'the Act') for setting aside the award dated 2.3.2012 has been dismissed.

Mr. R. S. Madan, learned counsel for the appellants submits that the award was pronounced on 2.3.2012 whereas on receipt of copy of the award on 10.4.2012, objections were filed on 16.7.2012 which were filed within 120 days i.e. by invoking the provisio of Section 34 of the Act. However, the objecting court has declined the application on the ground that it was barred by law of limitation.

He further submits that the execution of the award

has already been filed at Gurdaspur and therefore, in view of the provisions of Section 42 of the Act the objections were held not to be maintainable at Jalandhar.

I have heard learned counsel for the appellant and appraised the paper book.

The objection petition was filed beyond 90 days but within grace period of 30 days. However, no application seeking condonation of delay was filed. Accordingly the objections were held to be barred by limitation. Viz-a-viz the other ground, it is now a settled law that the language enshrined under Section 42 of the Act clearly envisage that in case execution of the award is sought in a particular district, the objection petition would be filed in that very district and not else where.

I do not intend to differ with the finding rendered by the objecting court which is based on appreciation of oral and documentary evidence. I do not find any illegality or perversity in the aforementioned judgment and decree of the objecting court. The order cannot be said to have been passed without jurisdiction.

In view of what has been observed above, the appeal is devoid of merits, accordingly, the same is dismissed.

**(AMIT RAWAL)**  
**JUDGE**

**November 4 , 2015**  
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