

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

**FAO 8243/2017 (O&M)
Date of decision:16.12.2017**

BMW India Private Limited

.....Appellant

v.

Saboo Sodium Chloro Limited and others

.....Respondents

Coram: Hon'ble Mr.Justice Jaswant Singh

Present:- Mr.Sumeet Goel,Advocate and
Ms.Pratishta Vij,Advocate for the appellant.

Jaswant Singh,J,(Oral).

The appellant Company is in appeal under Section 37 of the Arbitration and Conciliation Act,1996 assailing the ex-parte award dated 11.11.2016 passed by the Sole Arbitrator as well as order dated 27.11.2017 passed by Additional District Judge, Gurugram whereby its objections have been dismissed primarily on the ground of jurisdiction while also dealing with the merits of the case.

After having argued at length, the prayer is restricted to the observations made by the Objecting Court in the impugned order to the effect that the main objections filed by the appellant Company to the award have also been dismissed. It is urged that once the competent Court has been held to be Court at Jaipur, then the findings on merit cannot be sustained being without jurisdiction.

Without going into the merits of the contention raised, the present appeal is disposed of with liberty to the appellant to approach the

Court of competent jurisdiction at Jaipur. However the competent Court at Jaipur would not be influenced with the findings recorded on merits in the impugned order passed by the learned Additional District Judge, Gurugram.

16.12.2017
joshi

(Jaswant Singh)
Judge

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No