

226

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

CR-8242-2015 (O&M)

Date of decision : 09.03.2018

M/s Ganesh Rice Traders Malout

... Petitioner(s)

Versus

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

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Inderjit Sharma, Advocate
for the petitioner.

Mr. Sumit Jain, Advocate
for the respondent(s).

AMIT RAWAL, J. (ORAL)

The petitioner is aggrieved of the impugned order dated 31.10.2015 passed by the Additional District Judge, Muktsar Sahib, whereby the objection petition filed by the petitioner has been ordered to be returned to be presented before the competent court of jurisdiction with a further direction to the Court concerned to decide the objections on merits.

Learned counsel for the petitioner submits that the contract was entered into at Sri Muktsar Sahib and after rendering the Award by the Arbitrator at Chandigarh, either the Court at Chandigarh or Sri Muktsar Sahib would have jurisdiction to entertain the objections and rightly so, the objections have been filed before the Principal Court at Sri Muktsar Sahib, thus, there is gross illegality and perversity in the impugned order, under challenge.

Learned counsel for the respondent(s) submits that the

impugned order, under challenge is perfectly legal and justified as there is no illegality and perversity.

I have heard the learned counsel for the parties and appraised the paper book and of the view that it is a conceded position that once, the contract had entered into at Sri Muktsar Sahib, though the arbitration proceedings held and the award has been pronounced at Chandigarh, both the Courts would have jurisdiction to try and entertain the objections. The Objecting Court should have examined this aspect instead of relegating the party to file the objections at Chandigarh.

For the foregoing reasons, the impugned order dated 31.10.2015 is hereby set aside and the Objecting Court, Muktsar Sahib, is directed to decide the objections on merits in accordance with law.

With the aforesaid observations, the present revision petition stands disposed of.

09.03.2018
Yogesh Sharma

(AMIT RAWAL)
JUDGE

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Whether speaking/reasoned Yes/ No

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Whether Reportable Yes/ No