

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

**110**

**FAO No.5336 of 2017 (O&M)**

**Date of Decision : 08.02.2018**

Emmsons International Limited

..... Appellant

Versus

Punjab State Warehousing Corporation

..... Respondent

**CORAM : HON'BLE MR.JUSTICE AJAY TEWARI**

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Present :     Mr. Kanwal Jit Singh, Senior Advocate with  
                     Mr. Abhinav Aggarwal, Advocate  
                     for the appellant.

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**AJAY TEWARI, J. (Oral)**

This appeal has been filed under Section 37 of the Arbitration and Conciliation Act, 1996.

The primary contention raised before me by the learned senior counsel is that in view of the enactment of the Commercial Courts, Commercial Division and Commercial Appellate Division of High Courts Act, 2015 read with notification dated 02.05.2016 of the Chandigarh Administration the objections had to be decided by the Commercial Court and despite having been brought this to the notice of the learned Judge the same was not transferred to the competent Court and this aspect has not even been considered or adverted to in the impugned order.

In the circumstances, I deem it appropriate to permit the appellant to first file a review on this limited ground before the Court.

Appeal stands disposed of at this stage.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

**08.02.2018**

*Pooja sharma-I*

**( AJAY TEWARI )  
JUDGE**

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No