

CR-6313-2017 (O&M)

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

CR-6313-2017 (O&M)

Date of decision : 28.03.2019

Sewa Singh

... Petitioner

Versus

Magma Fincorp Limited and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Deepak Arora, Advocate
for the petitioner.

Mr. Nakul Sharma, Advocate
for respondent No.1.

AMIT RAWAL, J. (ORAL)

The short point involved in the present revision petition is whether the objections of the petitioner can be dismissed on the ground that the Principal Court at Gurdaspur, did not have the jurisdiction. The answer would be 'No', for the simple reason that the parties to the *lis* are the resident of Gurdaspur and even if, the Award has been passed at West Bengal.

Mr. Deepak Arora, learned counsel appearing on behalf of the petitioner relies upon the provisions of Section 42(4) of the Code of Civil Procedure, which according to him, has not been taken care of by the Court below.

The aforementioned provisions have not been controverted by Mr. Nakul Sharma, learned counsel representing respondent No.1.

Keeping in view the aforementioned facts, the impugned order,

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under challenge, is hereby set aside and the objection petition filed by the petitioner is ordered to be revived and the same shall be decided, in accordance with law.

The present revision petition stands allowed.

28.03.2019

Yogesh Sharma

**(AMIT RAWAL)
JUDGE**

Whether speaking/reasoned **Yes/ No**

Whether Reportable **Yes/ No**