

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

FAO-1227-2022

Date of decision: 18th May, 2023

M/s Jagmohan Enterprises

...Appellant

Versus

Punjab State Grain Procurement Corporation Ltd. and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Mukund Gupta, Advocate for the the appellant.
 Mr. T.S. Sidhu, Advocate for respondent No.1.

AVNEESH JHINGAN, J (Oral):

1. This appeal under Section 37 of the Arbitration and Conciliation Act, 1996 (for short, 'the Act') is filed aggrieved of dismissal of objections under Section 34 of the Act for want of territorial jurisdiction.

2. The brief facts are that the parties on 4th November, 2012 entered into an agreement for shelling the paddy for the crop year 2012-13.

The arbitration proceedings initiated at the instance of respondents started at Chandigarh and culminated in award dated 14th October, 2015 at Mohali.

The objections filed by the appellant at Gurdaspur were dismissed on 27th September, 2021 for want of territorial jurisdiction.

3. Learned counsel for the appellant on instructions restricts the prayer that liberty be granted to the appellant to file the objections at Chandigarh and the petition filed at Gurdaspur be returned in original.

4. Learned counsel for the respondents in view of the restricted prayer and considering the fact that the arbitration proceedings initially

were initiated at Chandigarh is not in a position to raise any substantial objections.

5. In view of the restricted prayer made by learned counsel for the appellant, the appeal is disposed of with a liberty as prayed for. The Court at Gurdaspur shall return the objections under Section 34 of the Act in original for presenting it before the Competent Court at Chandigarh.

6. Since the main case is disposed of, pending application, if any is rendered infructuous.

[AVNEESH JHINGAN]
JUDGE

18th May, 2023
Parveen Sharma

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| 1. Whether speaking/ reasoned | : | Yes / No |
| 2. Whether reportable | : | Yes / No |