

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CR-3568-2023 (O&M)
Date of Decision:-03.07.2023

Rajesh Puri and another ... Petitioners

Versus

Sanjeev Sachdeva ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vivek Singla, Advocate for the petitioners.

GURVINDER SINGH GILL, J.(Oral)

1. The petitioners assail order dated 03.03.2023 (Annexure P-4) passed by learned Additional District Judge, Gurugram vide which an application filed under Order 7 Rule 11 CPC, filed by petitioners for rejection of petition on the ground that the Court did not had territorial jurisdiction to entertain the objection under Section 34 of the Arbitration and Conciliation Act, 1996 has been dismissed.
2. Learned counsel for the petitioners submits that since the arbitration proceedings had taken place in Delhi, it was only the Courts at Delhi

which could entertain the objection petition under Section 34 of the Arbitration and Conciliation Act, 1996.

3. This Court has considered the aforesaid submission and has also gone through the copy of agreement to sell dated 21.12.2019, which has been passed on today by learned counsel for the petitioners and the same is taken on record. Para No.12 of the agreement to sell reads as under:

“12. The Courts at Gurugram shall have jurisdiction to try all suits or proceedings, matters or things in connection with this Agreement.”

4. In view of the specific stipulation in the agreement to the effect that it is the Courts at Gurugram which shall have jurisdiction to try all suits or proceedings, matters or things in connection with this agreement, this Court finds that the objections under Section 34 of the Arbitration and Conciliation Act, 1996, as filed in the Courts at Gurugram would be duly maintainable. The impugned order, thus, does not suffer from any infirmity.

5. The petition is found to be sans merit and is dismissed.

03.07.2023
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No