



CR-3893-2025 (O&M) with
CR-3945-2025 (O&M)

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

121(2 cases)

CR-3893-2025 (O&M)
Date of Decision: 08.07.2025

Union of India and another

...Petitioner(s)

Versus

M/s. M.S. Rysa Infratech

...Respondent(s)

With

CR-3945-2025 (O&M)

Union of India and another

...Petitioner(s)

Versus

M/s. M.S. Rysa Infratech

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. Narender Kumar Vashist, Advocate for the petitioners
in both petitions

TRIBHUVAN DAHIYA, J. (Oral)

These two petitions are being decided together as identical issues on similar facts arise for consideration therein.

2. The petitions have been filed *inter alia* challenging the orders passed by the Executing Court, Chandigarh, dated 22.05.2025 and 28.05.2025, Annexures P-17 and P-18, whereby the petitioners'/judgment debtors' objections to its jurisdiction have been dismissed.



3. Learned counsel contends that tender contract between the parties was entered into at Patiala, dated 11.07.2016. The terms of the contract were also accepted at Patiala on 26.09.2016. The dispute between the parties were adjudicated upon by an Arbitrator vide award dated 08.02.2023, against which the petitioners filed an objection petition under Section 34 of the Arbitration and Conciliation Act, 1996, which is pending adjudication before the Court of Additional District Judge, Patiala. Although an application for staying execution of the award was filed along with it, neither of the two has been heard by the Court so far, and the matter is being adjourned on request of the parties ever since. It is further contended that the cause of action to enforce the award is only at Patiala, since the award itself has been executed there, and the petitioners have properties at the same place. He, however, is not in a position to dispute that the petitioners' properties are situated within territorial jurisdiction of the District Courts at Chandigarh also.

4. A perusal of the impugned order, dated 22.05.2025, shows that the objection to jurisdiction was duly considered by the Executing Court and was rejected on the following reasons:

6. Hon'ble Supreme Court has held in case titled as **Sundaram Finance Limited Vs. Abdul Samad & Anr. 2018 10 SCR 451** "*the enforcement of an award through its execution can be filed anywhere in the country where such decree can be executed and there is no requirement for obtaining a transfer of the decree from the court, which would have jurisdiction over the arbitral proceedings*".

7. In this case also, as the Decree Holder has taken a specific stand that the property of the Judgment Debtors is situated within the jurisdiction of this Court and as no stay order has been granted by the court at Patiala in petition under Section 34 of the



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Arbitration Act, no ground to dismiss the execution petition is made out. Hence, objections stand dismissed.

As per the settled law, an arbitral award can be enforced anywhere in the country where such decree can be executed. And undisputedly the petitioners’ properties are situated at Chandigarh as well. Therefore, the view taken by the Executing Court cannot be faulted.

- 5. The petitions, accordingly, stand dismissed.
- 6. Pending miscellaneous application(s), if any, also stand(s) disposed of.
- 7. A photocopy of this order be placed on connected file.

**(TRIBHUVAN DAHIYA)
JUDGE**

08.07.2025
Payal

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No