

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

2025:PHHC:120387-DB



(4)

**FAO-COM-13-2025 (O&M)
FAO-COM-14-2025
Decided on : 04.09.2025**

M/s S.D.Technical Services Pvt. Ltd. through its Director

.....Appellant(s)

Versus

Deepak Sahni

.....Respondent(s)

**CORAM : HON'BLE MR.JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR.JUSTICE VIKAS SURI**

Present: Mr. Satish Saini, Advocate for the appellant (s).

HARSIMRAN SINGH SETHI, J. (Oral)

1. In the present appeal, challenge is to the order dated 08.08.2025 passed by Addl.District Judge-cum-Presiding Judge, Exclusive Commercial Court, Gurugram wherein, the execution application filed by the respondent for execution of award dated 06.09.2019, has been transferred to the Commercial Court.

2. Learned counsel appearing on behalf of the appellant argues that once the decree had already been passed prior to the formation of the Commercial Court, the execution of the same has to be done by the regular Court rather than by the Commercial Court, which fact has not been considered by the Commercial Court while transferring the execution filed by the respondent from a regular Court to a Commercial Court.

3. We have heard learned counsel for the appellant and have gone through the case file with his able assistance.

4. Upon asking as to whether in case the suit filed by the respondent would have been pending till now, the same would have been transferred to the Commercial Court or not because of the matter being under the jurisdiction of the Commercial Court, learned counsel for the appellant conceded that the suit would have been transferred to the Commercial Court, keeping in view the provisions of the Commercial Court.

5. Once it is the conceded fact that the issue persisting between the parties relates to the Commercial Court, the execution of order dated 06.09.2019, for which execution application was filed by respondent, comes within its jurisdiction. Concededly, the order dated 08.08.2025 passed, transferring the execution of order dated 06.09.2019 from regular Court to Commercial Court, cannot be treated as arbitrary or illegal. No proposition of law has been cited to contend that order impugned violates any process of law or settled proposition of law. No other ground(s) have been raised.

6. Keeping in view of the above, no ground is made out for interference. Resultantly, the present appeals stand dismissed.

7. A photocopy of this order be placed on the file of another connected case.

(HARSIMRAN SINGH SETHI)
JUDGE

04.09.2025
Sailesh

(VIKAS SURI)
JUDGE

Whether speaking/reasoned :	Yes
Whether Reportable :	No