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

**FAO-906-2024 (O&M)
Date of Decision: 12.01.2026**

Punjab State Cooperative Civil Supplies Corporation Limited

.... Appellant

Versus

M/s Sandhu Rice and General Mills and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Amaninder Preet, Advocate
for the appellant.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present is first appeal filed under Section 37 of the Arbitration and Conciliation Act, 1996 (hereinafter referred to as 'the Act') challenging the order dated 26.10.2023 passed by learned Additional District Judge, Chandigarh vide which the objections under Section 34 of the Act filed by the appellant against the arbitral award dated 01.07.2015 have been dismissed on the ground of limitation.

2. Learned counsel appearing on behalf of the appellant, while referring to the facts of the case pertaining to the dates, submitted that the award was passed on 01.07.2015 and it was received by the appellant on 09.07.2015. Thereafter, the appellant filed the objections under Section 34 of the Act before the Court at Jalandhar which did not have territorial jurisdiction and these objections were filed after the expiry of 74 days i.e. on 21.09.2015. Vide order dated 29.11.2017, learned Court at Jalandhar returned the objections for want of territorial jurisdiction. Thereafter, the



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objections were filed before the Court at Chandigarh on 16.02.2018 and the difference of the period from 29.11.2017 to 16.02.2018 was 78 days and submitted that since the aforesaid period of 78 days is less than 90 days, the objections ought not to have been dismissed by learned Additional District Judge, Chandigarh on the ground of limitation.

3. I have heard learned counsel for the appellant.

4. The dates as so stated by learned counsel for the appellant clearly suggest that when earlier the appellant filed objections before the Court at Jalandhar which could not have entertained the objections for want of territorial jurisdiction, the total period after receiving of the award and till the filing of objections was 74 days. The time period which the appellant has spent before a Court of defective of territorial jurisdiction was from 21.09.2015 to 29.11.2017 which can be excluded under Section 14 of the Limitation Act. Thereafter, when the appellant filed the objections, the same were filed again after a lapse of 78 days i.e. on 16.02.2018.

5. It is a settled law that the provision of Section 5 of the Limitation Act is not applicable for the purpose of condonation of delay under Section 34 of the Act but at the same time, it is also a settled law that the provisions of Section 14 of the Limitation Act would be applicable in these cases. Therefore, when applying the provisions of Section 14 of the Limitation Act, the total period which is required to be excluded is only 21.09.2015 till 29.11.2017. In this way, the total period of delay after which the appellant has filed the objections is 74+78 days which is clearly barred by limitation because the maximum period during which the objections can be filed is 3 months+30 days as per Section 34 of the Act.

6. Learned Additional District Judge, Chandigarh has also

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considered the aforesaid aspect in detail by referring to various judgments passed by Hon'ble Supreme Court and on the facts of the case and observed that the objections were beyond limitation.

7. In view of the above, this Court is of the considered view that no illegality or perversity can be found in the order dated 26.10.2023 passed by learned Additional District, Judge, Chandigarh. Consequently, the present appeal is hereby dismissed.

12.01.2026*Bhumika***(JASGURPREET SINGH PURI)
JUDGE**

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