



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

Sr. No.103

TA-358-2023

Date of Decision: 24.02.2025

M/S JAY BEE INDUSTRIES

....Applicant

Versus

PUNJAB STATE POWER CORPORATION LTD AND ANOTHER

..... Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Sourabh Goel, Advocate
for the applicant
(through video conferencing).

Mr. Japsehaj Singh, Advocate
for respondent No.1 (sole contesting respondent).

ARCHANA PURI, J. (ORAL)

During the course of arguments, on query by the Court, it is stated by the counsel for the applicant that the present application has been filed to assail the jurisdiction of the Patiala Courts, to proceed further with the petition under Section 34 of the Arbitration and Conciliation Act, 1996, filed by respondent No.1, more particularly, when the objections filed by the applicant are pending in the Courts at Panchkula.

Since it is a question of jurisdiction of either Courts, to deal with the objections under Section 34 of the Arbitration and Conciliation Act, 1996, it shall not be appropriate for this Court, to shut the right of either party, on the question of jurisdiction, while dealing with the transfer application.

In the given circumstances, the counsel for the applicant makes



a submission that the applicant may be given a chance to raise the question of jurisdiction of the Patiala Courts, by way of filing an application, before the Court concerned, which is dealing with the petition filed at Patiala.

In view of the submission aforesaid, the applicant is hereby directed to move an appropriate application, to raise the question of jurisdiction of the Patiala Courts, within a period of seven days and subject to prior notice to the respondent, another seven days be given to file reply, by the Court concerned at Patiala. If such an application is filed, the Court concerned is hereby requested to adjudicate on the same, within a period of subsequent three weeks, from the date of filing of reply.

In view of the aforesaid direction, at this stage, the counsel for the applicant submits that he does not want to pursue with the transfer application, which may be dismissed as withdrawn.

Ordered accordingly.

24.02.2025

Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No