

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

D.B. Arbitration Application No. 117/2018

Continental Engineering Corporation Limited

----Petitioner

Versus

Jaipur Metro Rail Corporation

----Respondent

For Petitioner(s)	:	Mr. Anil Kher, Sr. Advocate with Mr. Anant Kasliwal (through Video Conferencing)
For Respondent(s)	:	Mr. Sandeep Pathak

**HON'BLE MR. JUSTICE PRAKASH GUPTA
HON'BLE MR. JUSTICE PANKAJ BHANDARI**

Order

04/09/2020

The matter comes up before this Bench in view of the directions of Hon'ble The Chief Justice dated 29.1.2020.

It is contended by counsel for the parties that under Section 34 of the Arbitration and Conciliation Act, 1996 (hereinafter to be referred to as 'the Act of 1996') objections were filed against the award dated 20.12.2017 passed by the learned Arbitrator before the Commercial Court, Jaipur, but the said Court vide its order dated 22.11.2018 returned the objections, for lack of jurisdiction, to file the same in the competent court of jurisdiction. The said order is appellable under Section 37 of the Act of 1996 and this being international commercial arbitration, appeal lies before this Court in terms of Section 2(1)(i) of the Act of 1996. They further submit that in view of Section 4 of the Commercial Courts, Commercial Division and Commercial Appellate Division of the High Courts Act, 2015, the matter is

required to be heard by the Single Judge. It is also contended that the Division Bench of this Court vide order dated 11th July, 2019 directed that the matter be placed before the Bench having the roster of S.B. Arbitration matters.

In view of above, matter be again placed before Hon'ble The Chief Justice for passing appropriate orders.

(PANKAJ BHANDARI),J

(PRAKASH GUPTA),J

DILIP KHANDELWAL/19

RAJASTHAN HIGH COURT



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