

ITEM NO.24

COURT NO.14

SECTION IV-B

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition for Special Leave to Appeal (C) No.1894/2025

[Arising out of impugned final judgment and order dated 27-11-2024 in ARB No. 171/2022 passed by the High Court of Punjab & Haryana at Chandigarh]

J AND K COOPERATIVE HOUSING CORPORATION LTD. Petitioner(s)

VERSUS

M/S SHAKTI ASHOK BUILDCON LLP & ORS. Respondent(s)

IA No. 17765/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 17763/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Date : 27-01-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA  
HON'BLE MR. JUSTICE R. MAHADEVAN

For Petitioner(s) Mr. Gaurav Pachnanda, Sr. Adv.:  
M/S. Tas Law, AOR  
Mr. Siddharth Jain, Adv.  
Mr. Shubham Saigal, Adv.  
Mr. Sreyas T Manoj, Adv.  
Ms. Nikita Jaitly, Adv.  
Mr. Utsav Trivedi, Adv.  
Ms. Nandini Acharya, Adv.

For Respondent(s) :

UPON hearing the counsel the Court made the following  
O R D E R

1. The High Court in a Section 11(6) application filed under the Arbitration and Conciliation Act, 1996 appointed Ms. Justice Sabina, Acting Chief Justice (Retired) of the Himachal Pradesh High

Court as a Sole Arbitrator to adjudicate the dispute between the parties.

2. It appears that the petitioner herein raised an objection before the High Court of Punjab and Haryana that it had no territorial jurisdiction to entertain the application filed under Section 11(6) of the Act and it is the High Court of Jammu and Kashmir, Kashmir which has the territorial jurisdiction.

3. However, such objection was overruled and the High Court of Punjab and Haryana proceeded to appoint an Arbitrator.

4. Having heard the learned counsel appearing for the petitioner and having gone through the materials on record, we are of the view that as a retired High Court Judge has been appointed by the High Court, the parties should now get the disputes resolved through arbitration.

5. However, when it comes to challenging the award that may be passed by the arbitrator at the end of either of the Parties the issue of territorial jurisdiction of the High Court/or appropriate Civil Court is kept open.

6. With the above, the petition stands disposed of.

7. Pending application(s), if any, stands disposed of.

(CHANDRESH)  
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)  
COURT MASTER (NSH)