

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

CRM No. M-18960 of 2016 (O/M)

Date of decision : May 28, 2016

Mukesh Trading Company and another Petitioners

Versus

Marvel Teas Estate India Limited Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Harshit Jain, Advocate for the petitioner.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
 2. To be referred to the Reporter or not.
 3. Whether the judgment should be reported in the digest ?
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KULDIP SINGH J. (ORAL)

Petitioner has challenged the order dated 11.03.2016 passed by learned Judicial Magistrate 1st Class, Sunam, vide which the complaint filed under Section 138 of the Negotiable Instruments Act, 1881 was ordered to be transferred to the court of learned Chief Judicial Magistrate, Hisar, where the payee holds the bank account.

A perusal of the impugned order and copy of the complaint shows that the accused, who is based at Sunam had issued a cheque to the complainant-company, which is presented for collection through account, situated at Uklana, District Hisar.

Learned counsel for the petitioner states that the complainant himself had filed the complaint at Sunam. Therefore, only Sunam Court has the jurisdiction.

The learned Magistrate on the basis of amendment of Sections 142 and 142(A) under the Negotiable Instruments(Amendment) Ordinance, 2015, ordered to transfer the case to Hisar.

The case in hand falls in clause 2(a) of Section 142 of the N.I. Act. Therefore, the courts at Hisar has got the jurisdiction. Thus, there is no illegality or infirmity in the impugned order.

Accordingly, the present petition stands dismissed.

May 28, 2016
sarita

(KULDIP SINGH)
JUDGE