

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

TA No.206 of 2017

Date of decision: 02.05.2017

Punjab State Civil Supplies Corporation Ltd. and anr.

... Applicants

Vs.

M/s Shiv Rice & General Mills

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Ms. Adarshpal Kaur, Advocate
for the applicants.

Mr. Pushpinder Kaushal, Advocate
for the respondent.

RAMESHWAR SINGH MALIK, J. (ORAL)

Applicants, by way of instant transfer application under Section 24 read with Section 151 of the Code of Civil Procedure, seek transfer of the petition under Section 34 of the Arbitration and Conciliation Act, 1996 (for short 'the Act') filed by the respondent from Chandigarh to Faridkot.

Notice of motion was issued.

Heard learned counsel for the parties.

During the course of hearing, it has transpired that Head Office of the applicants is at Chandigarh and an identical petition filed by the respondent under Section 34 of the Act is already pending at Chandigarh. In this view of the matter, learned counsel for the parties are ad idem that instead of transferring the petition filed by the respondent from Chandigarh to Faridkot, let the petition filed by the applicants at Faridkot be transferred to

Chandigarh so that both the matters are clubbed and decided together, as the issue is between the same parties.

In view of the abovesaid fair statement made by learned counsel for the parties, present transfer application is disposed of, with a direction to the learned District Judge, Faridkot to sent the complete record of the petition filed by the applicants titled as Punjab State Civil Supplies Corporation Ltd. and another Vs. M/s Shiv Rice & General Mills and others (Annexure P-4) to the learned District Judge, Chandigarh at an early date and in any case within a period of one month from the date of receipt of certified copy of this order.

The learned District Judge, Chandigarh is also directed to assign the abovesaid petition (Annexure P-4) to the same learned Court of competent jurisdiction who is seized of the matter in the petition filed by the respondent (Annexure P-5), so that both the matters are clubbed and decided together, in accordance with law.

With the abovesaid observations made and directions issued, present transfer application stands disposed of, however, with no order as to costs.

[RAMESHWAR SINGH MALIK]
JUDGE

02.05.2017

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Whether speaking/reasoned Yes/No

Whether reportable Yes/No