

FAO-1238 of 2002 (O&M)

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

FAO-1238 of 2002(O&M)

Date of Decision: March 12, 2019

Food Corporation of India

....Appellant

Versus

Arvinder Kaur and others

.....Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. H.S. Dhandi, Advocate
for the appellant.

Mr. Sant Kashyap, Advocate
for the respondents.

JAISHREE THAKUR, J. (Oral)

This is the first appeal that has been filed by the appellant-Food Corporation of India to challenge the award of the arbitrator as well as judgment dated 31.10.1984 passed by the Sub Judge, Ist Class, Patiala making the award rule of the Court.

During the pendency of the instant appeal in this High Court, Section 39 of the Punjab Courts Act, 1918 has been substituted by the Punjab Act 29 of 2006, wherein it is stipulated that 'All appeals from a decree or order of a Civil Judge (Senior Division) and Civil Judge (Junior Division) pending in the High Court, irrespective of the value of the original suit, shall be transferred to the District Judge exercising ordinary territorial jurisdiction.'

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In view of the said amendment in 2006, this appeal has to be transferred to the District Judge, Patiala for decision on merit.

Mr. H.S. Dhandi, learned Counsel, appearing on behalf of the appellant, does not dispute the above factual position.

Under these circumstances, this appeal is transferred to the District Judge, Patiala, where the appellant is directed to appear on 09.04.2019. Notice to the respondent would be issued by the District Judge, Patiala. As this appeal is pending since the year 2002 it would be expedient for an early decision of the matter, preferably within a period of six months. Registry is directed to remit the entire record of the appeal to the District Judge, Patiala forthwith.

The appeal stands disposed of accordingly.

March 12, 2019
seema

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	Yes/No