

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

TA No. 216 of 2019 (O&M)

Date of decision : 11.3.2019

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N.K. Power Presses, Ludhiana and another

.....Applicants

vs.

M/s Chanda Enterprises Pvt. Ltd., Faridabad

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Harish Sharma, Advocate for the applicants.

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H. S. Madaan, J. (Oral)

The applicants are seeking transfer of civil suit filed by respondent M/s Chanda Enterprises Pvt. Ltd., Faridabad, against the present applicants, pending in the Court of Civil Judge (Junior Division), Faridabad, to a court of competent jurisdiction at Ludhiana, submitting that only Courts at Ludhiana, have got territorial jurisdiction to entertain and try the present suit.

The applicants are relegated to the remedy of approaching the trial Court, first by moving an application under Order 7 Rule 10 CPC or other relevant provisions of CPC, seeking return of the plaint on account of want of territorial jurisdiction. The trial Court may decide the said application expeditiously.

Disposed of.

However, if the applicants are still aggrieved by any such order passed by the trial Court, then the applicants would be at liberty to approach this Court again.

11.3.2019
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(H.S. Madaan)
Judge

Whether speaking / reasoned Yes / No

Whether reportable Yes / No