

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

FAO No.1400 of 1998 (O&M)

Date of Decision: February 28, 2019

M/s Aggarwal Rice Mills

...Appellant

Versus

Punjab State Coop. Supply and Marketing
Federation Punjab and another

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Dinesh Kumar, Advocate for
Mr. Vinod Kumar Kataria, Advocate
for the appellant.

None for the respondents.

JAISHREE THAKUR, J. (Oral)

This is the first appeal that has been filed by the appellant seeking to challenge the award of the arbitrator as well as judgment and decree dated 17.02.1998 passed by Civil Judge (Senior Division), Faridkot 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.”

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

Learned counsel for the appellant, who is present in the court, does not dispute the above factual position.

Under these circumstances, this appeal is transferred to the District Judge, Faridkot, where the appellant is directed to appear on 12.04.2019. Notice to the respondents would be issued by the District Judge, Faridkot. As this appeal is pending since the year 1998, 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, Faridkot forthwith.

The appeal stands disposed of accordingly.

February 28, 2019
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No