

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

FAO No.2864 of 2000 (O&M)  
Date of Decision: February 01, 2019

State of Punjab

...Appellant

Versus

M/s Parmar Construction Company and another

...Respondents

**CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present:- Ms. Akshita Chauhan, AAG Punjab.

Mr. Naresh Markanda, Senior Advocate with  
Ms. Kavita Markanda, Advocate  
for the respondents.

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**JAISHREE THAKUR, J. (Oral)**

This is the first appeal that has been filed by the appellant-State of Punjab seeking to challenge the award of the arbitrator dated 01.10.1997 as well as judgment and decree dated 17.08.2000 passed by Civil Judge (Senior Division), Ropar (now Rupnagar) making the award rule of the court.

The arbitrator had allowed the claim of ₹ 50,53,314/- along with interest at the rate of 12% per annum from the date of the award till realization.

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, Rupnagar for decision on merit.

Learned counsel for the parties, who are present in the court, do not dispute the above factual position.

Under these circumstances, this appeal is transferred to the District Judge, Rupnagar. The parties are directed to appear before the District Judge, Rupnagar on 15.03.2019. As this appeal is pending since the year 2000, 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, Rupnagar forthwith.

The appeal stands disposed of accordingly.

**February 01, 2019**

*vijay saini*

**(JAISHREE THAKUR)**  
**JUDGE**

Whether speaking/reasoned  
Whether reportable

Yes/No  
Yes/No