

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

FAO No.2860 of 2001 (O&M)

Date of Decision: February 01, 2019

Municipal Council, Bathinda

...Appellant

Versus

J.S. Brar

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. S.C. Pathela, Advocate
for the appellant.

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 as well as judgment and decree dated 22.05.2001 passed by Civil Judge (Senior Division), Bathinda 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, Bathinda 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, Bathinda, where the appellant is directed to appear on 15.03.2019. Notice to the respondent would be issued by the District Judge, Bathinda. As this appeal is pending since the year 2001, 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, Bathinda forthwith.

The appeal stands disposed of accordingly.

February 01, 2019
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No