

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

FAO No.539 of 2000 (O&M)
Date of Decision: February 21, 2019

HS Construction Co. Nabha

...Appellant

Versus

State of Punjab and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- None for the appellant.

Ms. Rajni Gupta, Senior DAG Punjab.

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 05.11.1999 passed by the Addl. Civil Judge (Senior Division), 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.”*

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

Learned counsel appearing on behalf of the respondent-State does not dispute the above factual position.

Under these circumstances, this appeal is transferred to the District Judge, Patiala for 26.03.2019. Notice to the parties would be issued by the District Judge, Patiala. 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, Patiala forthwith.

The appeal stands disposed of accordingly.

February 21, 2019
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No