

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

**FAO No. 1936 of 1998 (O&M)
Date of Decision: 13.02.2019**

Chief Engineer, Thermal Design, Shakti Vihar, Punjab State
Electricity Board, Patiala and another

..... Appellants

VERSUS

Industrial Cables (India) Limited, Industrial Area, Rajpura, through
Shri V.K. Handa, Assistant Manager (Legal)

..... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Arnav Gupta, Advocate,
for the appellants.

Mr. Sahej Mahajan, Advocate, for
Mr. Ashwani Talwar, Advocate,
for the respondent.

JAISHREE THAKUR, J. (Oral)

1. This is the first appeal that has been filed by the appellants-Chief Engineer, Thermal Design, Shakti Vihar, Punjab State Electricity Board, Patiala and another seeking to challenge the award of the arbitrator as well as judgment and decree dated 10.01.1998 passed by Civil Judge (Senior Division), Patiala making the award rule of the court.

2. Mr. Arnav Gupta, Advocate, puts in appearance by filing memorandum of appearance on behalf of the appellants.

3. 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.”*

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

5. Mr. Arnav Gupta, Advocate, appearing on behalf of the appellants, does not dispute the above factual position.

6. Under these circumstances, this appeal is transferred to the District Judge, Patiala, where the appellants are directed to appear on 20.03.2019. Notice to the respondent would be issued by the District Judge, Patiala. 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, Patiala forthwith.

7. The appeal stands disposed of accordingly.

13.02.2019

Satyawan

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No.
Yes/No.