

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

**FAO No. 1920 of 1998 (O&M)
Date of Decision: 13.02.2019**

Punjab State Electricity Board, Patiala and another

..... Appellants

VERSUS

Modern Steels Limited

..... Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: None for the appellants.

Mr. Rajat Garg, Advocate, for
Mr. T.K. Joshi, Advocate,
for the respondent.

JAISHREE THAKUR, J. (Oral)

1. This is the first appeal that has been filed by the appellant-Punjab State Electricity Board, Patiala and another seeking to challenge the award of the arbitrator as well as judgment and decree dated 02.04.1998 passed by Addl. Civil Judge (Senior Division), Amloh making the award rule of the court.
2. On asking of the Court, Ms. Rajni Gupta, learned Sr. DAG, Punjab accepts notice 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, Fatehgarh Sahib for decision on merit.

5. Ms. Rajni Gupta, learned Sr. DAG, Punjab, who accepted notice on behalf of the appellants, does not dispute the above factual position.

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

7. The appeal stands disposed of accordingly.

13.02.2019

Satyawan

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned
Whether reportable

Yes/No.
Yes/No.

