

CRM-M-35821-2022

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

CRM-M-35821-2022

Date of decision:29.08.2022

Jeet Singh

...Petitioner

Versus

House Development Finance Corporation Ltd.

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Ms. Samridhi Sareen, Advocate,
for the petitioner.

Ms. Ankita Malhotra, Advocate for
Mr. Shekhar Verma, Advocate,
for the respondent.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks transfer of the complaint bearing No.COMA 825 of 2021, titled as 'HDFC vs Jeet Singh' under Section 25 of the Payments and Settlement Systems Act, 2007, pending in the Court of learned Judicial Magistrate, 1st Class, Chandigarh, to the Court of competent jurisdiction at Bathinda.

The respondent-complainant has filed the above-noted complaint with the averments that the petitioner-accused had issued Electronic Clearance System (ECS) in favour of the respondent in order to discharge his legally enforceable liability, but the said ECS was got dishonoured with remarks 'funds insufficient'.

Learned counsel for the petitioner submits that the petitioner is suffering from Total Optic Atrophy in both the eyes; that the petitioner has

also suffered 100% disability qua the ears; that owing to his ailment, it is

CRM-M-35821-2022

not convenient for the petitioner to travel from Bathinda to Chandigarh, to cause appearance before the concerned Court and defend the aforesaid proceedings instituted by the respondent.

On the other hand, learned counsel for the respondent submits that she has no objection, if the above-noted complaint be transferred from Chandigarh to Bathinda. Otherwise, the petitioner can settle the dispute by tendering a demand draft of Rs.13,000 being a monthly installment, in favour of the respondent-complainant.

In view of the above submissions made by the learned counsel for the parties, the present petition is allowed and the above-noted complaint bearing No.COMA 825 of 2021, titled as 'HDFC vs Jeet Singh' under Section 25 of the Payments and Settlement Systems Act, 2007, pending in the Court of learned Judicial Magistrate, 1st Class, Chandigarh, is withdrawn and ordered to be transferred to learned Sessions Judge, Bathinda, who may assign the same to the Court of competent jurisdiction there. Learned Sessions Judge, Chandigarh shall ensure that entire record of the case is sent to learned Sessions Judge, Bathinda.

Parties through their counsel are directed to appear before the Court of learned Sessions Judge, Bathinda, on 13.09.2022.

29.08.2022

parveen kumar

**(HARNARESH SINGH GILL)
JUDGE**

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No