

240 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-31957-2023

Date of decision: 29.09.2023

M/S VSD INFRACON LLP AND OTHERS

...Petitioners

V/s

DARSHAN SINGH

...Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Deepak Jindal, Advocate
for the petitioners.

Mr. Davinder Bir Sisngh, Advocate for respondent.

AVNEESH JHINGAN J. (ORAL)

This petition is filed for transferring the complaints under Section 138 of Negotiable Instruments Act, 1881 (for short the 'Act') from District Courts Mohali to District Courts Chandigarh which are as follows:

- a) NACT 82 of 2021
- b) NACT 433 of 2021
- c) NACT 581 of 2021
- d) NACT 693 of 2021
- e) NACT 796 OF 2021
- f) NACT 992 of 2021

2. Brief facts are that twelve cheques were issued by the petitioners to the respondent as per the agreement dated 26.09.2020. On presentation, the cheques were dishonoured and ten complaints under Section 138 of the Act were filed, four at Chandigarh and six at Mohali. There is dispute between the parties with regard to an enforceable debt.

3. The prayer in the petition was for transfer of six complaints

from Mohali to Chandigarh.

4. Learned counsel for respondent, on instructions, submits that respondent is resident of Mohali and six cheques were presented at Mohali. The prayer is that four complaints bearing Nos. NACT 8843, 8847, 8849 of 2021 and 2762 of 2022 be transferred to Mohali.

5. Considering that all the ten cheques relate to one agreement and the dispute is between the same parties, it would be appropriate if all these matters are dealt with in one Court. It would not only be convenient to the parties but shall expedite the proceedings as evidence would be common.

6. Learned counsel for the petitioner, on instructions, submits that he has no objection if the complaints are transferred to Mohali.

7. In view of the consensus between the parties, the petition is disposed of by directing the Chandigarh Court to transfer above-mentioned four complaints to Mohali Court.

29.09.2023
manisha

(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No