

IN THE HIGH COURT OF HIMACHAL PRADESH SHIMLA

CMPMO No. 350/2020

Decided on: 29.09.2026

Nirmala Sharma

.....Petitioner

Versus

Ashwani Kumar & ors.

....Respondents

Coram:

The Hon'ble Mr. Justice Romesh Verma, Judge.

Whether approved for reporting?¹

For the Petitioner: Mr. Kishore Pundeer, Advocate.

For the Respondents: Mr. Goldy Kumar, Advocate, for
respondent Nos. 1 and 2.

Respondent No.3 ex-parte.

Romesh Verma, Judge (oral)

The instant petition has been filed for grant of
following substantive relief:-

*“To order the transfer of the above said Civil Suit bearing
no. 172/2014, titled as Smt. Nirmala Sharma versus Shri
Ashwani Kumar and Others, which is pending
adjudication in the court of the Id. Civil Judge, Senior
Division (2) 1. cum ACJM, Kangra, District Kangra, H.P.
from the Court of Civil Judge Senior Division (2), Kangra to*

¹Whether reporters of the local papers may be allowed to see the judgment? Yes.

the court of Civil Judge Senior Division Bilaspur or to the court of Civil Judge Senior Division Ghumarwin, District Bilaspur H.P.}

2 The facts, as emerge in the present case, are that in the month of May, 2014, the present petitioner/plaintiff filed Civil Suit No. 172/2014, titled as Nirmala Sharma vs. Ashwani Kumar & ors, before the learned Civil Judge, Senior Division (2), Kangra, seeking therein decree for declaration to the effect that entries of the land comprised in Khata No. 323, Khatoni No. 455, Khasra Nos. 333, 334, 335, 337, 339, 340 and 355 Kita 7 area measuring 530-77 square meters situated at Up-mohal Bhawan, Mauja Ujjain, Tehsil & District; Kangra and house existed thereon may be corrected and substituted in the name of the plaintiff/petitioner. The petitioner has also sought decree to be passed with corrected status of plaintiff as joint owner in her favour with necessary correction in the said suit land and permanent prohibitory and mandatory injunction restraining defendants to alienate, in any form of sale, gift, mortgage, convey transfer, assign and assure and/or change the nature of the suit land, as mentioned in the para No. 1 of this plaint.

3 The instant petition has been filed by the plaintiff/petitioner for transfer of the aforesaid civil suit from

the court of learned Civil Judge, Senior Division (2), Kangra to the Court of learned Civil Judge, Senior Division, Bilaspur or to the Court of learned Civil Judge, Senior Division, Ghumarwin, District Bilaspur, on various grounds, but primarily on the ground that she has threat to her life at Kangra and she does not feel safe and comfortable as she has apprehension that the respondents shall cause prejudice to her interest at Kangra.

4 Pursuant to the order as passed on the previous date of hearing, whereby this Court had directed the parties to have instructions in the matter whether the aforesaid civil suit can be transferred to the Court of learned Senior Civil Judge, Dharamshala, today it is jointly represented by the learned counsels for the parties that as per instructions they have no objection in case the aforesaid civil suit is transferred to the Court of learned Senior Civil Judge, Dharamshala.

5 Taking into consideration age of the present petitioner and in view of the attending facts and circumstances of the case, Civil Suit No. 172/2014, titled as Nirmala Sharma vs. Ashwani Kumar & ors, pending before the Court of learned Civil Judge, Senior Division (2), Kangra is transferred to the Court of learned Civil Judge, Senior Division, Dharamshala,

which shall try the aforesaid suit after hearing the respective parties in accordance with law.

6 The parties are directed to appear before the Court of learned Civil Judge, Senior Division, Dharamshala, on **15.10.2026.**

7 It is made clear that since the suit is pertaining to year 2014, therefore, no unnecessary adjournment shall be given to the parties.

8 The instant petition is disposed of in the aforesaid terms. Pending application(s), if any, also stands disposed of.

29.09.2026
(*pankaj*)

(Romesh Verma)
Judge