

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

Transfer Application No.470 of 2013 (O&M)

Date of decision: 4.8.2015

Arvinder Kaur

... Petitioner

Versus

Sadhu Singh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr.Amit Arora, Advocate,
for the petitioner.

Mr.Daman Dhir, Advocate,
for the respondents.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J.(Oral)

The suit for damages based on malicious prosecution was instituted at Nakodar by the parents in a dowry case after they were acquitted of the offences they were charged with. The daughter-in-law has filed the present application for transfer of the suit from Nakodar to Tarn Taran which is 70K away from Court to Court but only 33KM from the village she resides at Fatehabad, Tehsil Khadoor Sahib, District Tarn Taran. Mr.Daman Dhir submits that the respondents are septuagenarians and the balance of convenience is in their favour that the suit instituted at Nakodar should be continued to be tried in that Court.

Having regard to the distances involved and the fact that the suit has been instituted in the competent court exercising territorial jurisdiction, no ground is made out to uproot that case and transfer it to Tarn Taran, a Court which has no territorial jurisdiction.

For the foregoing reasons, I do not find any ground to interfere in the transfer application. The same is ordered to stand dismissed.

(RAJIV NARAIN RAINA)
JUDGE

August 4, 2015
Paritosh Kumar