

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

TA No.135 of 2015.
Decided on:-19.2.2015.

Swati @ Gudia and others

.....Petitioners.

Versus

Krishan Kumar.

.....Respondent.

CORAM: HON'BLE MR. JUSTICE DR. BHARAT BHUSHAN PARSOON.

Present:- Mr. Jagjeet Beniwal, Advocate
for the petitioners.

Dr. Bharat Bhushan Parsoon, J (Oral)

Counsel for the petitioners seeks transfer of civil suit No.1721 of 2014 (Annexure P-1) filed by the respondent from Chandigarh to Bhiwani as the petitioners are residing at Bhiwani which is approximately 250 Kms. away from Chandigarh.

2. It is also urged that petitioner No.2, wife of Dinesh Goyal, brother-in-law of Krishan Kumar, respondent herein, has filed a petition under Section 125 Cr.P.C. against her husband at Bhiwani. Besides this, she has also got registered a case bearing FIR No.14 dated 5.1.2011, inter alia, under Section 498-A IPC at Police Station, City Bhiwani against her husband Dinesh Goyal, his family members and the respondent herein. However, the respondent herein has been declared innocent by the police and no action was taken against him whereas the other accused are facing trial there.

3. It is further urged that petitioner No.2 is taking care of two minor children and it is very difficult for her to pursue the proceedings in the

suit filed by the respondent, who is an advocate by profession.

4. No notice to the opposite side is being issued to avoid delay and further because no prejudice would be caused to the other party.

5. In view of the submissions made by counsel for the petitioners as also the circumstances explained in the petition, the request is allowed.

6. Sequelly, the civil suit (Annexure P-1) pending before Civil Judge (Junior Division), Chandigarh is transferred to District Judge, Bhiwani, who may further transfer the same to a competent court of jurisdiction under him. Both the concerned District Judges to comply.

7. Disposed of accordingly.

8. Copy Dasti on usual charges.

(Dr. Bharat Bhushan Parsoon)
Judge

February 19, 2015

'Yag Dutt'