

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

TA No.178 of 2015

Date of Decision: 28.08.2015

Pawan Kumar and another

.....Appellants

Vs.

Tarsem Kumar and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.A.K.Bansal, Advocate for the appellant.

RITU BAHRI, J. (ORAL)

This application has been filed under Section 24 of the Code of Civil Procedure for transferring of civil suit for declaration (Annexure P-1) in the Court of Civil Judge (Jr.Divn.), Talwandi Sabo to the competent Courts at Mansa.

The petitioners and respondents were carrying of business of selling of rice and paddy in a partnership firm i.e. M/s Krishna Rice Mills Maur Mandi vide partnership deed dated 01.08.2003. Due to dispute arose between the parties, the firm dissolved and respondents filed a suit for declaration and for distribution of assets of the said firm at Talwandi Sabo which was decreed in favour of respondents.

The appellant seeking transfer of this petition on the ground that he is a lay man and he cannot contest the case without an advocate and no advocate is agree to contest his case at Talwandi Sabo against the respondent. The petitioner ultimately engaged the counsel to contest the case from district Mansa but he could not afford due to their financial passion and could not pay the fare and daily expenses to the advocate which engaged from Mansa for contesting the case at Talwandi Sabo.

In view of the above, there is no sufficient ground is made out for transfer this case from Talwandi Sabo to Mansa and as such, the same is dismissed.

(RITU BAHRI)
JUDGE

28.08.2015