

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Date of decision : 26.09.2016

(i) TA No. 40 of 2016

Rajinder Rattan & anr.

...Petitioners

V/s

Vineet Khanna

...Respondent

(ii) TA No. 67 of 2016

Rajinder Rattan & anr.

...Petitioners

V/s

Vishal Khanna

...Respondent

(iii) TA No. 130 of 2016

Rajinder Rattan & anr.

...Petitioners

V/s

Virender Khanna

...Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Vaneet Soni, Advocate for the applicants-petitioners
(in all the cases.)

Mr. O.P. Sharma, Advocate for the respondent.
(in all the cases.)

RAJAN GUPTA J.

This order will dispose of aforesaid three applications under section 24 of the Code of Civil Procedure seeking transfer of Civil Suit No. 56659 of 2014 titled as Vineet Khanna vs. Rajinder Rattan & anr., Civil Suit No. 3/05.01.15 titled as Vishal Khanna vs. Rajinder Rattan & anr. and Civil

Suit No. 57594 of 2014 titled as Virender Khanna vs. Rajinder Rattan & anr.
from District Faridabad to District Gurgaon.

It has been urged before the court that applicants are old persons. They have to travel all the way to Faridabad for hearing of the cases initiated at the behest of their son-in-law and his cousins. According to learned counsel, petitioners-applicants are residing in Vasant Kunj, New Delhi. It shall be in the interest of justice if aforesaid cases are transferred to court of coordinate jurisdiction at Gurgaon, it being very near to Vasant Kunj, New Delhi.

Prayer has been opposed by learned counsel representing the respondents.

I have heard learned counsel for the parties.

It appears that daughter of the applicants namely Shipra Khanna was married to respondent namely Vineet Khanna. There having been matrimonial discord, an FIR was lodged by Shipra Khanna alleging harassment on account of less dowry brought by her. As a result, number of cases were instituted by both the sides. One such petition preferred by husband under section 25 of the Guardians and Wards Act was transferred by Hon'ble Supreme court from the court of Principal Judge, Family Court, Faridabad to the court of competent jurisdiction at New Delhi. Instant suits have been instituted by husband Vineet Khanna and his cousins claiming damages on account of defamation. According to them, complainant Shipra Khanna furnished an incorrect list of dowry articles and leveled false allegations. This resulted in their malicious prosecution and loss of reputation.

Keeping in view facts and circumstances of the case and age of the parents of the girl, I am of the considered view that it shall be appropriate if proceedings in the aforesaid civil suits are transferred from the court at Faridabad to a court of coordinate jurisdiction at Gurgaon as distance between Vasant Kunj and Gurgaon is stated to be hardly 18/20 kilometers.

Petitions are allowed in aforesaid terms.

September 26, 2016

Ajay

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No