

TA No.57 of 2016

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

TA No.57 of 2016 (O&M)  
Date of decision: 25.01.2016

Surender Kumar Sharma

....Applicant

Versus

Smt. Parveen Devi

....Respondent

**CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH DHALIWAL**

Present: - Mr. Yogesh Chaudhary, Advocate, for the applicant.

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**PARAMJEET SINGH DHALIWAL, J.**

Instant application under Section 24 read with Section 151 of the Code of Civil Procedure has been filed for transfer of civil suit No.61/19.2.2013, titled "Smt. Parveen Devi v. Surender Kumar pending in the Court of learned Additional Civil Judge (Senior Division), Safidon, to any other Court of competent jurisdiction.

Brief facts of the case, as averred in the application for transfer, are that applicant is a small contractor and he entered into an agreement to construct the godowns of HAFED allotted to the respondent for construction. After completion of the work, applicant demanded remaining amount of Rs.10.00 lacs from the respondent. Respondent not only failed to pay the due amount but also started to harass the petitioner and she filed aforementioned suit for recovery against the applicant. Applicant has moved this application for transfer of the civil suit from the Court at Safidon to any other Court on the ground that he has threat to his life from the respondent. Hence, this

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application.

I have heard learned counsel for the applicant and perused the record.

Learned counsel for the applicant contended that applicant apprehends threat to his life while attending the Court proceedings at Safidon, therefore, the aforementioned civil suit may be transferred from Safidon to any other Court.

I have considered the contention raised by learned counsel for the applicant.

No justified ground for transfer of the aforementioned civil suit is forthcoming. Many a times such type of stories are created by the parties to delay the proceedings. In case, there is any kind of threat to the life of applicant from the respondent, he should bring it to the notice of the Court concerned.

In view of this, I am not inclined to transfer the aforementioned case from Safidon to any other Court.

Dismissed. However, applicant will be at liberty to move appropriate application before the Superintendent of Police, Safidon for protection. In case such an application is moved, Superintendent of Police shall look into the grievance of the applicant and in case there appears to be any kind of threat perception to the applicant, same shall also be brought to the notice of the trial Court.

**(Paramjeet Singh Dhaliwal)**  
**Judge**

**January 25, 2016**  
**R.S.**