

In the High Court of Punjab and Haryana at Chandigarh

T.A. No. 761 of 2015 (O&M)
Date of Decision: February 24, 2016

Priya Garg and others

... Applicants

Versus

Deepak Garg and others

... Respondents

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

Present: Mr. V.M. Gupta, Advocate,
for the applicants.

Ms. Payel Mehta, Advocate,
for respondent No.1.

None for respondent No.2.

Ms. Parminder Kaur, Advocate,
for respondent No.3.

Paramjeet Singh Dhaliwal, J. (Oral)

CM-4045-CII-2016

Civil Misc. application is allowed. Short reply by way of affidavit on behalf of respondent no. 1 is taken on record.

TA No. 761 of 2015 (O&M)

Instant application has been filed under Section 24 of the Code of Civil Procedure for transfer of civil suit No. 1324 dated 23.07.2015, titled “Deepak Garg vs. Priya Garg”, pending in the Court of learned Civil Judge (Junior Division), Chandigarh to the Court of competent jurisdiction at Hansi, District Hisar.

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

Perusal of the record shows that civil suit No. 1324 dated

23.07.2015 was filed with regard to defamation on account of registration of FIR No. 488, dated 16.07.2014, under Sections 498-A, 406, 323, 34, 120-B and 511 of the Indian Penal Code, registered at Police Station City Hansi. Admittedly, FIR No. 488 dated 16.07.2014, on the basis of which the present suit has been filed, is already registered at Hansi. Other proceedings are also pending at Hansi.

Keeping in view the circumstances mentioned in the application, pendency of other proceedings between the parties at Hansi, this Court is of the view that it would be in the interest of the respondents as well that all proceedings are tried at one place as they will not be required to appear at different places on different dates. Accordingly, civil suit No. 1324 dated 23.07.2015 filed by respondent No.1 titled “Deepak Garg vs. Priya Garg”, pending in the Court of learned Civil Judge (Junior Division), Chandigarh is withdrawn and ordered to be transferred to learned Additional Civil Judge (Senior Division), Hansi, who may assign the same to the Court of competent jurisdiction there. Learned Civil Judge (Junior Division), Chandigarh shall ensure that entire record of the case is sent to learned Addl. Civil Judge (Senior Division), Hansi.

Parties through their counsel are directed to appear before the Court of learned Addl. Civil Judge (Senior Division), Hansi, on 14.03.2016. Parties will be at liberty to make a request to the concerned courts for fixing all the cases on one date. If such a request is made, the Courts shall make an endeavour to fix same date in all the cases.

Disposed of.

February 24, 2016
vkd

[Paramjeet Singh Dhaliwal]
Judge