

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

-.-

TA 782 of 2017 (O&M)

Date of decision:19.09.2017

*Sunita*

*..... Applicant*

*Versus*

*Bhupinder Kaur alias Nisha and others*

*..... Respondents*

**Coram: Hon'ble Mrs. Justice Rekha Mittal**

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Present: Mr. Jaswinder Singh Grewal, Advocate  
for the applicant

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**Rekha Mittal, J.** (Oral)

Prayer in this application is for transfer of civil suit titled 'Bhupinder Kaur alias Nisha vs Sunita and others' from the Court of Civil Judge (Senior Division) Ludhiana to a Court of competent jurisdiction at Abohar, District Fazilka.

The sole submission made by counsel for the applicant is that Bhupinder Kaur alias Nisha, maternal aunt of Raman Kumar, husband of the applicant has filed a false and frivolous suit with an intent to cause harassment to the applicant due to matrimony disharmony between the applicant and Raman Kumar. It is prayed that in order to enable the applicant to defend the proceedings effectively, the suit may be withdrawn from the Court of Civil Judge (Senior Division), Ludhiana and transferred to a Court of competent jurisdiction at Abohar, District Fazilka.

The suit has been filed by Bhupinder Kaur alias Nisha for claiming damages on account of malicious prosecution. At this stage, it is

difficult to know if the suit is false or frivolous or filed at the instance of Raman Kumar. The respondent/plaintiff is also a woman, therefore, transfer of the suit from Ludhiana to Abohar would cause same inconvenience for the respondent/plaintiff as has been sought to be pleaded by the applicant. Under the circumstances, I do not find any merit in contention of the applicant that the aforesaid suit is liable to be transferred.

With the aforesaid observations, the petition stands disposed of.

(Rekha Mittal)  
Judge

19.09.2017  
mohan bimbura

Whether speaking/reasoned: Yes/No  
Whether reportable : Yes/No