

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

-.-

TA 832 of 2017 (O&M)

Date of decision: 28.11.2017

Manpreet Kaur and others

..... *Applicants*

Versus

Balbir Singh

..... *Respondent*

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. Surinder Mohan Sharma, Advocate
for the applicants

-.-

Rekha Mittal, J. (Oral)

The applicants pray for transfer of civil suit titled '*Balbir Singh vs. Manpreet Kaur and others*' from the Court of Civil Judge (Junior Division), Karnal to a Court of competent jurisdiction at Ambala.

Counsel for the applicants has submitted that applicant No. 1- Manpreet Kaur lodged FIR No. 92 dated 19.03.2011 for offence punishable under Sections 498-A, 406, 323, 506 read with Section 34 of the Indian Penal Code and the respondent as well as other accused in the case have been acquitted of the charge vide judgment dated 17.08.2016 passed by the trial Court. Subsequent thereto, the respondent has filed the instant suit claiming unliquidated damages. It is argued that as applicant No. 1 is a patient and under regular treatment of doctor at Ambala, it is difficult for her to peruse the suit pending in the Court at Karnal.

Indisputably, respondent-Balbir Singh has filed the suit for damages against three persons (applicants herein). Personal appearance of

applicant No. 1 is not required on each and every date of hearing. Her brother is also one of the defendants in the suit and the applicants, in all likelihood, are to avail legal services for defending them in the suit. There is not much physical distance between the two places. Under the circumstances, there is no justifiable ground for transfer of the suit from the Court at Karnal to a Court at Ambala.

For the foregoing reasons, the petition stands dismissed.

(Rekha Mittal)
Judge

28.11.2017
mohan bimbra

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