

TA No. 954 of 2017

Date of Decision: 14.11.2017

Sunita Soni alias Gori

---Applicant

versus

Sanjeev Soni

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. Vaibhav Jain, Advocate for the applicant

Rekha Mittal, J.

The applicant prays for transfer of suit for damages filed by the respondent from the court of Civil Judge (Senior Division), Jalandhar to a court of competent jurisdiction at Ludhiana.

Counsel for the applicant has submitted that a child aged about 12 years is residing with the applicant creating inconvenience for her to pursue the suit pending in the Court at Jalandhar. Another submission made by counsel is that an application under Section 127 of the Code of Criminal Procedure (in short "Cr.P.C.") filed by the applicant is pending in the court at Ludhaina.

The physical distance between the two places is approximately 70 kms. Perusal of the plaint would reveal that suit for damages has been filed against six persons including the applicant. Other defendants have not been impleaded as a party. Personal appearance of the applicant is not required on each and every date of hearing. She has already caused appearance before the court below and the case is fixed for filing of written statement as informed by counsel for the applicant. Under the circumstances, it is appropriate if the case is allowed to proceed at the place where the same is filed.

Disposed of.

(Rekha Mittal)
Judge

14.11.2017

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