

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

TA-1016 -2017 (O&M)
Date of decision: 24.05.2018

Khushi Ram Gupta

.....Petitioner

versus

Renu Kumari and others

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.A.P.S.Guliani, Advocate for the petitioner
Mr.Vipin Gupta, Advocate for the respondents

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
- 2. To be referred to the Reporters or not ?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

Petitioner seeks transfer of Civil Suit bearing CS/200/2017 titled as *Renu Kumari vs. Khushi Ram* pending in the Court of learned Additional Civil Judge (Senior Division), Kosli, District Rewari to the Court of learned Civil Judge (Senior Division), Chandigarh.

Petitioner, who is stated to be 83 years old, states that he was shown dead and his land was transferred in favour of the respondents-plaintiffs, who filed a suit for permanent injunction and mandatory injunction at Kosli Court. Being an old man, he can not go to Kosli Courts, District Rewari. He is also being threatened by the land grabbers regarding which he had already filed a complaint before the police and on the basis of which, an FIR has been registered. Therefore, his life is at threat if goes to Kosli..

Prayer has been opposed by learned counsel for respondents on

the ground that respondent nos.1 and 2 who are stated to be bona fide purchasers, are also senior citizens and that proceedings under Section 145 Cr.P.C. are already pending at Kosli Courts, therefore it will also be difficult for them to go Chandigarh Courts.

Considering the age of both the parties and the fact that the present petitioner is facing threat from certain persons, who alleged to have grabbed his land by showing him dead, the Civil Suit bearing CS/200/2017 titled as *Renu Kumari vs. Khushi Ram* pending in the Court of learned Additional Civil Judge (Senior Division), Kosli, District Rewari is withdrawn from the said Court and is transferred to the Court of learned Civil Judge (Senior Division), Sonapat, who may retain the same himself or entrust it to a Court of competent jurisdiction.

Present petition stands allowed accordingly.

Since the main case has been allowed, therefore, the pending CM, if any, also stands disposed of.

24.05.2018

gk

**(Kuldip Singh)
Judge**

Whether speaking/ reasoned:

Yes

Whether Reportable:

No