

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

TA No. 82 of 2018(O&M)
Date of decision: 02.08.2018

Kamalpreet Kaur	vs.	.. Petitioner
Kanwal Jeet Singh		.. Respondent

Coram: Hon'ble Mr. Justice Harinder Singh Sidhu

Present:- Mr. Vivek Baghla, Advocate
for the petitioner.

Mr. Arshdeep Singh Brar, Advocate
for the respondent.

Harinder Singh Sidhu, J.

The petitioner is the wife of Raminder Pal Singh, who is the brother of the respondent. She has filed the present petition under Section 24 of the Code of Civil Procedure for transfer of case titled as 'Kanwal Jeet Singh vs. Kamal Preet Kaur', filed by the respondent, seeking damages from the petitioner for malicious prosecution. The said case is pending in the Court of learned Civil Judge (Senior Division), Ludhiana. Transfer thereof is sought to the Court of competent jurisdiction at Faridabad.

It appears that litigation on account of marital discard is going on between the petitioner and her husband. Her husband had filed a petition under Section 13 of the Hindu Marriage Act for seeking divorce at Ludhiana. On an application moved by the petitioner, the said case has been transferred by this Court to Amabala.

The case of the petitioner is that she is residing at Faridabad and it is very difficult for her to attend the Court proceedings at Ludhiana, which is at a distance of about 300 KM from Faridabad.

Learned counsel for the respondent, on the other hand seriously objected to the transfer of the case to Faridabad. He, however, has no objection, if the case is transferred to Amabala.

Considering the facts and circumstances of the case and the fact is that the divorce petition filed by the husband of the petitioner is already pending at Ambala, it would be appropriate, if this case is transferred to Amabala. Accordingly, this petition is allowed. The petition titled as 'Kanwal Jeet Singh vs. Kamal Preet Kaur', filed by the respondent, which is pending in the Court of learned Civil Judge (Senior Division), Ludhiana is withdrawn from the said Court and transferred to Amabala. The District Judge, Ambala may assign it to any competent Court.

02.08.2018
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(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No