

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

TA No. 190 of 2019 (O&M)

Date of decision : 26.2.2019

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Dimpy

.....Applicant

vs.

Baljit Singh and others

.....Respondents

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Arun Jain, Senior Advocate with
Mr. Akash Deswal, Advocate for the applicant.

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H. S. Madaan, J. (Oral)

By way of moving the present application, applicant Dimpy, prays for transfer of Civil Suit, titled as 'Dimpy vs. Baljit Singh and others' pending in the Court of Civil Judge (Junior Division), Ludhiana, to a Court of competent jurisdiction at Panchkula, in the State of Haryana or at any other place nearby SAS Nagar, Mohali.

The ground taken in the application is that applicant has filed a suit for joint possession of the property being widow of Rupinder Singh. Baljit Singh, who is stranger to the family has prepared a forged and fabricated Will dated 7.3.2011, which has been challenged in the suit filed by the applicant. The applicant is residing at Mohali with her father. In order to pursue the suit, she had engaged Sh. Major

Singh Mangat, Advocate at Ludhiana, as her counsel, thereafter Sh. Sarabjit Singh, Advocate and then Sh. Harjot Singh, Advocate. It is difficult for the applicant to go from Mohali to Ludhiana to pursue the matter. Further more Baljit Singh is an influential person and applicant has reasonable apprehension that she will not be able to pursue the suit at Ludhiana, properly.

I have heard learned counsel for the applicant and I find that there is no merit in the application. Merely because the applicant is residing at Mohali and has to go to Ludhiana, to attend the dates of hearing in Court there, is no ground to transfer the civil suit, more particularly when the property in dispute is situated within the jurisdiction of Courts at Ludhiana.

As regards Baljit Singh being an influential person, no body can possibly dare to interfere in the judicial proceedings and such apprehension of the applicant appears to be without any basis. Under the circumstances, finding no merit in the application, the same stands dismissed.

26.2.2019
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(H.S. Madaan)
Judge

Whether speaking / reasoned Yes / No

Whether reportable Yes / No