

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

T.A. No. 835 of 2019

DATE OF DECISION :- September 20, 2019

Deepa Rani

...Applicant

Versus

Kumar Gaurav

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. Kanhiya Soni, Advocate for the applicant.

By way of filing the present application, applicant Deepa Rani prays for transfer of civil suit titled 'Kumar Gaurav Vs. Deepa Rani' pending in the Court of Civil Judge (Sr. Division), Kalka, District Panchkula to the Court of competent jurisdiction at Rewari for the reason that on account of matrimonial discord between the applicant and her husband, she is residing with her parents, who are of old age and suffering from various deceases. The respondent, who is brother of husband of applicant has filed the civil suit against her in the Court at Kalka which is at a distance of about 350 kms from her parental place. She being a lady, it is difficult for her to cover so much distance so as to attend the dates of hearing in the Court at Kalka and she has got an apprehension of physical harm at the hands of her husband and the respondent, as such the application be accepted.

I have heard learned counsel for the applicant besides going through the record.

The nature of proceedings sought to be got transferred are in the form of a civil suit. Personal appearance is not required in a civil suit and they can appear through counsel or some authorized agent. As such, there is no question of any inconvenience being there in travelling etc. As regards apprehension of physical harm at the hands of husband of applicant and the respondent she can report the matter to the police asking for provision of necessary security to her when she is to come to Kalka in connection with attending the dates of hearing. However, no ground is made out to accept the application. The application being without merit stands dismissed.

(H.S. MADAAN)
JUDGE

September 20, 2019
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No