

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

TA-854-2019 (O&M)

Date of decision: 25.09.2019

Vir Bala

...Applicant

Versus

Sudesh Rani and another

...Respondents

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

Present: Mr. K.R. Dhawan, Advocate for the applicant.

H.S. MADAAN, J. (Oral)

By way of moving the present application, applicant Vir Bala, aged about 74 years, resident of Chandigarh prays for transfer of civil suit filed against her by respondent Sudesh Rani, having title 'Sudesh Rani Vs. Vir Bala and another', pending in the Court of Civil Judge (Sr. Divn) Gram Nyaylay, Kot Ise Khan, District Moga to the Court of competent jurisdiction at SAS Nagar, Mohali or Chandigarh.

According to the applicant, she is a senior citizen, suffering from various ailments and it is difficult for her to travel from Chandigarh to Kot Ise Khan to attend the dates of hearing in the Court there. Husband of applicant, whom, she has appointed her attorney is also a senior citizen and suffering from various ailments. As such, the application be accepted.

I have heard learned counsel for the applicant besides going through the record and I find that there is no merit in the

application. The nature of the proceedings sought to be got transferred is in the form of civil suit, where personal appearance of the parties is not required and they can appear in such proceedings through their counsel or authorized agents. According to the applicant, her husband who is her special power of attorney holder is also an old man. She can appoint any other person of young age and physically fit as her attorney. However, for such like reasons, the transfer of civil suit cannot be allowed. Thus, finding no merit in the instant application, the same stands dismissed.

25.09.2019

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No