

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

TA No. 1012 of 2018 (O&M)

Date of decision : 3.7.2019

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Sukhpreet Kaur @ Myra

.....Applicant

vs.

Mani Arora and another

.....Respondents

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

Present: Ms. Monika Thakur, Advocate for the applicant.

Mr. Sanjay Jain, Advocate for the respondents.

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H. S. Madaan, J.

By way of filing the present application, applicant – Sukhpreet Kaur @ Myra aged about 26 years, seeks transfer of civil suit filed by her husband – Mani Arora, respondent No.1, against her having title 'Mani Arora vs. Sukhpreet Kaur @ Myra' pending in the Court of Civil Judge (Junior Division), Amritsar, as well as civil suit filed by her sister-in-law Sakshi Arora, against her, having title 'Sakshi Arora vs. Sukhpreet Kaur' pending in the Court of Civil Judge (Junior Division), Amritsar, to a Court of competent jurisdiction at Ludhiana, for the reason that on account of difference between her and her husband, she has been forced to leave the matrimonial home

and she is residing with her parents at Ludhiana. She does not have any source of income. The plaintiffs in the two suits are influential persons. It is difficult for her to travel from Ludhiana to Amritsar, to attend the dates of hearing in Courts there. Therefore, the application be accepted.

Notice of the application was given to the respondents. Mani Arora, was reported to have expired. Respondent No.2 filed written reply, contesting the application.

I have heard learned counsel for the parties, 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 are in the form of civil suits, where personal appearance of the parties is not required and they can appear through counsel or any other authorized agent. Therefore, there is no necessity of applicant going from Ludhiana to Amritsar, to attend each and every date of hearing in the Courts there. Furthermore, there is nothing on record to show that the plaintiffs in the civil suit are very influential people. Even otherwise, nobody can dare to interfere in the judicial proceedings, howsoever, influential he or she may be.

The application is doomed for failure and is dismissed accordingly.

3.7.2019
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(H.S. Madaan)
Judge

Whether speaking / reasoned Yes / No

Whether reportable Yes / No