

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

T.A. No. 1125 of 2018

DATE OF DECISION :- November 26, 2019

Daljit Kaur and another

...Applicants

Versus

Kartar Singh through his LRs and others

...Respondents

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

Present:- Mr. Amit Jhakar, Advocate
for Mr. Akhilesh Vyas, Advocate for the applicants.

Mr. Sachin Jain, Advocate for respondents No. 1 and 2.

Litigation has been pending between the parties with regard to estate of Smt. Mahinder Kaur. The dispute is as to whether she had executed the Will dated 7.1.2016 or not. She had left behind the property at three different places say within jurisdiction at Tehsil Samana, Tehsil Malaut etc. Litigation with regard to her estate is pending in the Court at Samana as well as at Malaut.

By way of filing the present application, applicants Daljit Kaur and Balraj Singh seek transfer of the civil suit pending in the Court at Samana to the Court of competent jurisdiction at Malaut.

During the course of arguments, it has transpired that the civil suit pending in the Court at Malaut is earlier in time, therefore, to avoid

contradictory decisions and in the interest of justice it would proper and appropriate if two suits are tried together. Therefore, the application is allowed. The civil suit titled 'Kartar Singh son of Lal Singh through its LRs Vs. Daljit Kaur and Others' pending in the Court of Additional Civil Judge (Sr. Divn.), Samana is withdrawn from that Court and transferred to the Court of Additional Civil Judge (Sr. Divn.), Malaut for trial along with the connected matter.

The parties through their counsel are directed to appear in the transferee Court on 18.12.2019. Copies of orders be sent to the Court of Additional Civil Judge (Sr. Divn.), Samana as well as to the Court of Additional Civil Judge (Sr. Divn.), Malaut for information and necessary compliance.

(H.S. MADAAN)
JUDGE

November 26, 2019

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No