IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(1) TA-182-2018 (O&M)

Varun Sharma

...Applicant

Versus

Paramjit Kashyap and others

...Respondents

(2) CRM-M-19585-2018 (O&M)

Madhu

...Petitioner

Versus

Paramjit Kashyap

...Respondent

Date of decision: 24.07.2019

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

Present: Mr. Nikhil Chopra, Advocate for the applicant.

Mr. Deepak Arora, Advocate
for respondent Nos.1 & 2 in TA-182-2018 and
for respondent in CRM-M-19585-2018.

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H.S. MADAAN, J. (Oral)

This order of mine shall dispose of TA-182-2018 filed by applicant Varun Sharma, a resident of Jalandhar, seeking transfer of civil suit, titled 'Paramjit Kashyap and another Vs. Ashok Kumar and others' pending in the Court of Civil Judge (Jr. Divn.) Jalandhar to the Court of competent jurisdiction in any other district and another petition i.e. CRM-M-19585-2018, has been filed by petitioner Madhu, seeking transfer of case bearing No.COMI/190/2015, titled 'Paramjit Kashyap and another

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Vs. Sheetal Vij and others' pending in the Court of JMIC, Jalandhar to the Court of competent jurisdiction in any other district like Mohali or Chandigarh on the averments that Paramjit Kashyap and Parmod Kashyap both practicing Advocates at District Courts Jalandhar have filed a suit for unliquidated amount of damages against the present applicant and others besides their Advocates; that they have filed 12 cases against the Advocates who put in appearance on the behalf of present applicant and other attitude is quite threatening, therefore, the case(s) in question be transferred.

On notice, respondent Nos.1 & 2 appeared and filed written reply, opposing the application vehemently, denying the allegations in the application and praying for dismissal of the application.

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

It is well settled maxim of law that justice should not only be done but also appears to have been done. Without going into the merits of the case, it is found proper and appropriate, if the case(s) in question is transferred to a Court outside Jalandhar Sessions Division. Therefore, the application bearing No.TA-182-2018 and petition bearing No. CRM-M-19585-2018 are allowed. The petitions in question are ordered to be withdrawn from the Court concerned and transferred to the Court of learned Civil Judge (Sr. Divn.)-cum-ACJM, Kapurthala for disposal in accordance with law.

The parties through counsel are directed to appear in the

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transferee Court on 23.08.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

24.07.2019 **(H.S. MADAAN)**
sumit.k **JUDGE**

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

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