

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

TA No. 525 of 2018 (O&M)

Date of decision : 7.2.2019

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Jatinder Pal Singh and others

.....Applicants

vs.

Balbir Singh Ahluwalia and others

.....Respondents

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

Present: Mr. Vishwajit Bedi, Advocate for the applicant.

None for the respondents.

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H. S. Madaan, J. (Oral)

This application for transfer of civil suit titled as 'Balbir Singh Ahluwalia and another vs. Jatinder Pal Singh and others', pending in the Court of Additional Civil Judge (Senior Division), Baba Bakala, District Amritsar, to the court of competent jurisdiction at Ludhiana, has been filed by applicants Jatinder Pal Singh and his family members, who are defendants in the said civil suit.

According to the applicants, filing of civil suit has got its genesis in the matrimonial dispute between applicant No.4 Tarandeep Kaur, daughter of Jatinder Pal Singh and Inderjit Kaur and sister of Simar Arora and niece of Jaspreet Singh - applicants and her in-laws

that on account of distance of about 150 kms between Ludhiana and Baba Bakala and applicant Ttarandeep Kaur, required to look after the minor daughter aged about 4 years and Tarandeep Kaur pursuing B.Ed. Course, it is difficult for the applicants to go to Baba Bakala to attend the dates of hearing. Therefore, the application be accepted.

Notice of the application was given to the respondents, who did not appear despite service.

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

No doubt, in cases relating to matrimonial dispute between the spouses, convenience of wife is to be taken into consideration, while considering the matter of transfer of case from a place where the applicant wife faces difficulty in going, but this case is certainly not of that type. There are five defendants in total and three of them being male members. It is a case of civil nature. The applicant wife is not required to appear there in person. The other male members can very well pursue the matter. They can engage a counsel and get represented through such counsel. The respondents are also aged persons. This fact is also to be taken into consideration.

There is no merit in the application. The same stands dismissed.

7.2.2019
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(H.S. Madaan)
Judge

Whether speaking / reasoned

Yes / No

Whether reportable

Yes / No