

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

TA No. 2153 of 2018 (O&M)

Date of decision : 3.7.2019

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Narinder Pal Singh

.....Applicant

vs.

Rajinder Pal Singh Walia and others

.....Respondents

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

Present: Mr. H.S. Thiara, Advocate for the applicant.

Mr. Tejinder Bir Singh, Advocate for the respondents.

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H. S. Madaan, J.

This application for transfer of civil suit titled 'Rajinder Pal Singh Walia vs. Pritpal Singh and others', pending in the court of Civil Judge (Junior Division) -IV, Kapurthala, to a Court of competent jurisdiction at District Jalandhar, has been filed by applicant Narinder Pal Singh, contending that the parties to the suit belong to the same family and respondent No.1 Rajinder Pal Singh Walia, is a practicing Advocate at District Courts Kapurthala. For the said reason no local counsel/Advocate is ready to appear on behalf of the applicant and proforma respondents and the Court itself is

favouring plaintiff-respondent No.1, in one way or the other; that FIR No.1 dated 6.1.2018 has been registered against respondent No.1 for offences under Sections 199, 200, 448 IPC, on a complaint made by proforma respondent No.2 Pritpal Singh, as such the application be accepted.

Notice of the application was given to the respondents. Respondent No.1 put in appearance through counsel and filed written reply, vehemently opposing the application and praying for its dismissal, contending that the assertions in the application are false and the applicant is being represented by Mr. S.P.S. Tandi, Advocate, in the civil suit in question and other connected matters.

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 contention that due to influence of respondent No.1, Rajinder Pal Singh Walia, who is a practicing Advocate at District Court, Kapurthala, no local Advocate is ready to represent the applicant, stands falsified from the record, since it comes out that Mr. S.P.S. Tandi, Advocate, is representing the applicant in the civil suit and other connected matters. As regards alleged influence wielded by Rajinder Pal Singh Walia with the local Court, the allegations in that regard are quite vague and sweeping. No person can dare to interfere in the judicial proceedings. As per own version of the applicant, an FIR has been lodged against Rajinder Pal Singh Walia, with the local police. Therefore, the apprehensions expressed by the applicant are unfounded and no reason is there to accept the application and to transfer the civil suit from the Court of Civil Judge, (Junior Division),

Kapurthala, to a Court of competent jurisdiction at Jalandhar.

Therefore, the application stands dismissed.

3.7.2019
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(H.S. Madaan)
Judge

Whether speaking / reasoned Yes / No

Whether reportable Yes / No