

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

TA-398-2020

Date of Decision: 15.03.2021

Amritpal Kaur

...Applicant/petitioner

Versus

Balvir Singh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Vikram Singh Chahal, Advocate,
For the applicant/petitioner.

None for contesting respondent No.1.

Mr. Jagjeet Singh, Advocate,
For respondent No.2.

(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

Petition under Section 24 of CPC is for seeking transfer of case Civil Suit No.905 of 2020 dated 06.07.2020 titled as “Balvir Sigh Vs. Saurav Malhotra and others” pending in the Court of learned Civil Judge (Junior Division) Patiala to the competent Court of jurisdiction at Hoshiarpur where enquiry of the complaint of petitioner lady against respondent and others regarding cheating and fraud is in progress before Incharge Economic Wing, Hoshiarpur in which respondent had already appeared.

None joins the proceedings on behalf of respondent No.1 even today. Same was the position on the last date of hearing due to which this Court in the interest of justice had adjourned the matter. It seems that contesting respondent No.1 is not serious in contesting the present proceedings. Even otherwise having perused the contents of the transfer

application along with Annexures, I am of the view that civil suit filed by respondent No.1 at Patiala is a counter blast to the criminal proceedings initiated by the petitioner on the same cause of action at Hoshiarpur wherein she has alleged that she has been cheated of an amount of Rs.7 lakhs on the false pretext of being sent abroad for further studies.

Petitioner being a lady and residing at Hoshiarpur will be put to inconvenience of travelling a distance of 200 kms. to contest the civil suit at Patiala.

In the premise, without going into the allegations/counter allegations, the present transfer application is allowed. The civil suit in question pending before the Learned Civil Judge (Junior Division) Patiala, is ordered to be withdrawn from that Court and is transferred to the District Judge, Hoshiarpur for its disposal in accordance with law by the Court concerned.

March 15, 2021

vandana

(ARUN MONGA)

JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No