

202 (2nd case)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

TA-519 of 2020 (O&M)
Date of Decision: 12.03.2021

Garima Singh and another

...Applicant/petitioners

Vs.

Kulwant Sheoran and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Dilraj Singh Bhinder, Advocate,
For the applicant/petitioners.

Mr. Ajit Singh Lamba, Advocate,
For the respondents.

Mr. Ashok Kumar Khubbar, Advocate,
For respondent No.5.

ARUN MONGA, J. (ORAL)

Applicant-petitioners seek transfer of civil suit titled as “*Kulwant Sheoran and others Vs. Shish Pal Singh and others*” filed by respondents (husband and in-laws of petitioner No.1) for mandatory injunction to settle the accounts pending in the Court of Learned Civil Judge (Jr. Divn.) Bhiwani, to the Court of competent jurisdiction at Mohali.

2. Learned counsel for the applicants submits that petition under Section 13 of HMA filed by the respondent-husband has already been transferred to the Court of competent jurisdiction at Mohali vide order of even date passed in TA-411 of 2020, taking into account the convenience of wife and the civil suit filed by husband and in laws at Bhiwani be also transferred to Mohali where petitioners are living at parental home.

3. I have heard learned counsel for the parties and have gone through the record of the case.

4. Though, transfer has been opposed by learned counsel for the respondents, but keeping in view the fact that all the cases pending between the parties are aftermath of matrimonial discord, the contentions in the application and the conceded position that petition under Section 13 of the Hindu Marriage Act has already been transferred to Court of competent jurisdiction at Mohali, it would be proper, appropriate and in the interest of justice if all cases are tried and decided at one place.

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The petition in question pending before the Court of Learned Civil Judge, (Junior Division), Bhiwani, is ordered to be withdrawn from that Court and is transferred to the District Judge, Mohali for its disposal in accordance with law by the Court concerned.

March 12, 2021
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No