

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

TA 241 of 2022 (O&M)

Date of Decision: April 01, 2022

Rajwinder Kaur and others ...Petitioners

Versus

Harpreet Singh

... Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Munish Gulati, Advocate
for the petitioners.

FATEH DEEP SINGH, J. (Oral)

The applicant wife and others have preferred this application under Section 24 CPC seeking transfer of suit for permanent injunction bearing No. 4/2022 dated 06.01.2022 titled as **Harpreet Singh Vs. Rajwinder Kaur and others** (Annexure P-1) pending in the Court of learned Additional Civil Judge (Sr. Division) Kapurthala to a Court of competent jurisdiction at Ferozepur.

The primary grounds canvassed in the petition is that another petition under Section 12 of the Domestic Violence

Act, 2005 is pending at District Court, Ferozepur.

Upon hearing Mr. Munish Gupta, learned counsel for the petitioner and perusal of the records.

The husband respondent Harpreet Singh had threatened over the humiliation and threat by the wife had filed a suit for permanent injunction which is pending before the Court of learned Additional Civil Judge, Senior Division, Kapurthala and which is purely to prevent the wife from unnecessarily harassing the plaintiff husband with the help of police and involving in false criminal cases. The wife as a counter blast to the same had filed petition under Section 12 of the Domestic Violence Act at Ferozepur. The only reason pleaded by the wife is that she has to travel from Kapurthala to Ferozepur on each and every date of hearing and distance being approximately 100 kilometers between the two places. It needs to be kept in mind that suit for permanent injunction being a simplicitor civil matter presence of the wife at each and every date of hearing is not necessitated and more so because the wife has to travel to

attend the Court hearing is not extenuating circumstance for transferring the matter and rather what appears to the mind of this Court that it has become a tool in the armoury of the wife in harassing the husband by filing such transfer applications without there being any circumstance worth legal necessity. More so, the relief being sought by the husband is purely for preventing his harassment at the hands of the wife and which the wife is trying to surmount for the poor husband by seeking transfer of the matter when she is not claiming any threat perception at the hands of the husband. This Court does not feel that the mere distance is a ground for transfer of the matter and therefore the petition stands dismissed in limine.

April 01, 2022

amit rana

(FATEH DEEP SINGH)**JUDGE**

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No