

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

105

TA-242-2022

Decided on : 24.03.2022

Preetinder Kaur Bedi and another

... Applicant(s)

Versus

Jaswant Singh

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. Shanshak Vardaan Sharma
for the applicant(s).

MANJARI NEHRU KAUL, J. (Oral)

The applicants have approached this Court by way of instant application under Section 24 of the CPC, *inter alia* seeking transfer of the suit for permanent injunction, titled as, “Jaswant Singh Vs. Surjit Singh” (annexed as Annexure P-1), filed by the respondent, pending in the Court of learned Civil Judge (Sr. Divn.), Pathankot to District Court Amritsar.

Learned counsel submits that the applicant No.1 had given a friendly loan in the sum of Rs. 1,00,000/- to the respondent on an assurance that he would return the said amount within 6 to 8 months. However, the respondent did not keep his promise and when he was repeatedly asked by the applicant to repay the said loan, he kept postponing the matter on some pretext or the other. Finally, the applicant gave a complaint against the applicant to the Inspector General of Police, Border Range Amritsar (Annexure P-3), which is still pending before the authorities concerned. Learned counsel contends that the respondent on the other hand has filed the suit in question qua which she is seeking transfer from Pathankot to

Amritsar, with an oblique motive to harass her, so that he is able to get away without repaying her loan.

Learned counsel further submits that since the applicants are old and suffering from various health related issues, it would be very difficult for them to travel from Amritsar to Pathankot where the suit has been instituted by the respondent, on each and every date of hearing.

I have heard learned counsel for the applicant and perused the relevant material on record.

This Court does not find any ground to accept the prayer of the applicants and transfer the aforesaid civil suit from Pathankot to Amritsar, since the distance between the two places is hardly 115 kilometers. The ground taken by the applicants for transfer of the case from Pathankot to Amritsar on account of medical issues and the old age of the applicants, is not convincing enough, as the medical reports which have been annexed with the petition, do not even reflect any serious medical ailments, being faced by them. Moreover, the respondent too is not a young-man and is, in fact, even older in age to applicant No.1.

Dismissed.

(MANJARI NEHRU KAUL)
JUDGE

March 24, 2022

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*