

105 **IN THE HIGH COURT OF PUNJAB AND HARYANA**
AT CHAHDIGARH
(through video conferencing)

TA-61-2022

Date of decision: 14.03.2022

Kanika Goel and another

.... Petitioners

Versus

Savita Gupta and others

.... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ankit Chowdhri, Advocate
 for the petitioners.

Manjari Nehru Kaul, J. (Oral)

Prayer in the instant petition filed under Section 24 of CPC is for transferring the case titled as Savita Gupta vs. Kanika Goel and others bearing CS1361 of 2021 pending before District Judge, Patiala to the court of competent jurisdiction at Kalka, District Panchkula.

Learned counsel for the applicants contends that respondent No.1, who is mother-in-law of petitioner No.1, has intentionally filed a civil suit before the Court of Civil Judge, Sr. Division, Patiala just to harass her and her minor daughter, who have been living at Kalka after the death of her husband on 05.06.2021. It has been submitted by learned counsel that since the applicant No.1 does not have any relatives or people to accompany her to Patiala on each and every date of hearing, she would be greatly inconvenienced and hence, the case in question be transferred to a competent Court of jurisdiction at Kalka.

Heard learned counsel and perused the relevant material on record.

No doubt, the convenience of a lady has to be considered while deciding a transfer application of a case. However, the distance between Patiala and Kalka is just about 83 kms coupled with the fact that admittedly, respondent No.1 i.e. mother-in-law of the applicant No.1, is a senior citizen, who too would be thus, put to inconvenience if the case is transferred from Patiala to Kalka. This Court therefore, does not deem it appropriate to accept the prayer made by applicant No.1 for transfer of case from Patiala to Kalka. However, the applicant No.1 is at liberty to move an application seeking her personal exemption from appearance in the case in question at Patiala, which would be decided expeditiously in accordance with law by the Court below.

Accordingly, the present petition stands dismissed.

14.03.2022
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/non-speaking?
Whether reportable?

Yes/No
Yes/No