

TA 1564/2022

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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Date of decision:19/12/2022

Sampuran Singh

.....Petitioner

Vs.

Angrej Singh and others

.....Respondents

CORAM HON'BLE MS. JUSTICE NIDHI GUPTA

Present: - Mr. Rajesh Goyal, Advocate for the petitioner.

Nidhi Gupta, J.

Petitioner- defendant No.1 by way of this Transfer Application is seeking transfer of Civil Suit No. CS/1100/2022 dated 13.10.2022, filed by the respondent herein titled as 'Angrej Singh v Sampuran and others' from the Court of Civil Judge (Sr. Div.) SAS Nagar, Mohali to a court of competent jurisdiction at Panipat.

The said civil suit was instituted by Angrej Singh-respondent no.1 herein with the averments that negotiations for the marriage of his son with Prabhjot Kaur- daughter of the petitioner/defendant took place during

which defendant/petitioner herein shared details of his daughter viz., date of birth and qualification etc. However, later on said information was found to be incorrect whereupon, respondent-plaintiff rejected the said proposal of marriage. It was alleged that consent of the respondent-plaintiff for solemnization of marriage of daughter of petitioner-defendant no.1 had been obtained by fraud on account of which respondent-plaintiff had suffered mental agony and harassment and loss of reputation in society. Hence, a decree for unliquidated damages was sought against defendants including petitioner being father of said Prabhjot Kaur.

It is submitted by the learned counsel for the petitioner that petitioner is a senior citizen residing at Panipat which is 160 kms. away from Mohali. That another suit on the same issue filed by the petitioner wherein the petitioner has claimed damages as the respondent No. 1 cancelled the marriage without any justification, is pending in Panipat and as such respondent can file counter claim in that suit at Panipat, instead of filing counterblast to said suit in Mohali. It is further stated that the said Civil Suits have been filed due to matrimonial discord between the children of the parties. In support, ld. Counsel for the petitioner cites **Murray & Co. Pvt.Ltd. v Madanlal Poddar(SC) Law Finder Doc Id# 120784**; and **Kuldip Singh Bagga v M/s Lumax Industries Ltd. (SC) Law Finder Doc Id# 195694**.

After hearing the learned counsel for the petitioner, in my opinion, neither it is a fit case for this Court to exercise its jurisdiction u/s 24 CPC keeping in view the facts and circumstances of the case, nor the case law cited by the learned counsel for the petitioner is applicable to the facts involved herein. Moreover, admittedly marriage between the children of the

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parties was never solemnized, as such, present dispute cannot be said to be arising therefrom.

Dismissed.

19.12.2022
Joshi

(Nidhi Gupta)
Judge

Whether speaking/reasoned
Whether reportable

Yes
Yes/No