

TA-677-2023

2023:PHHC:157138

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207/2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

TA-677-2023

Date of decision :07.12.2023

Veerpal Kaur

...Petitioner

Vs.

Davinder Bajwa

...Respondent

CORAM:- HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Atul Arya, Advocate
for the petitioner.

Mr. Bhupinderbir Singh Randhawa, Advocate
for the respondent.

SANJAY VASHISTH, J.

1. Present transfer application, under Section 24 CPC, has been filed by the petitioner - wife, for seeking transfer of the complaint under Section 12(i) of the Protection of Women from Domestic Violence Act, 2005 titled as 'Veerpal Kaur vs. Davinder Bajwa and others' bearing No. COMI-92-2020, filed by the petitioner, which is presently pending in the Court of Ld. S.D.J.M, Batala, to any Court of competent jurisdiction at Ferozepur.

2. No reply has been filed by the respondent till date. On the other hand counsel for the respondent submits that there is no point in transferring the complaint under Section 12(i) of the Protection of Women from Domestic Violence Act, 2005 from the Court at Batala to Ferozepur, because the complaint has been filed by the applicant herself in the Court at Batala.

3. While explaining the reason, learned counsel for the applicant-petitioner submits that in fact, the said complaint under Section 12(i) of the Protection of Women from Domestic Violence Act, 2005 was filed before the Court, at Batala because at the time of filing of complaint she was staying in

her matrimonial home at Batala itself, but now applicant-petitioner is staying alongwith her minor daughter at her parental home i.e. at Ferozepur, which is at a distance of about 150 kms (one Side). Thus, the present Transfer Application is filed before this Court.

4. On being pointed out by learned counsel for the respondent that in the complaint under Section 12(i) of the Protection of Women from Domestic Violence Act, 2005, there are total three respondents, whereas, the present transfer application under Section 24 of the CPC has been filed by the applicant-petitioner only qua one, namely, Devinder Bajwa, who is husband of petitioner, learned counsel for the applicant-petitioner seeks withdrawal of the present petition with liberty to file a fresh one with better particulars and by impleading all the required parties.

6. Dismissed as withdrawn with the aforesaid liberty.

07.12.2023

neeraj

Whether speaking/reasoned :
Whether Reportable :

Yes
Yes

No
No

(SANJAY VASHISTH)
JUDGE