

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

TA-818-2023(O&M)

Date of decision:-12.7.2023

Inder Flora

...Applicant

Versus

Himani Flora

...Respondent

CORAM : HON'BLE MR. JUSTICE H.S. MADAAN

Present : Mr.Sukhjit Singh, Advocate
for the applicant.

H.S. MADAAN, J.(ORAL)

1. By way of filing the instant transfer application under Section 24 read with Section 151 of CPC, applicant Inder Flora seeks transfer of petition under Section 12 of Hindu Marriage Act titled 'Inder Flora Versus Himani Flora' filed by him against his wife as well as Criminal Miscellaneous Application under Sections 340 and 195 Cr.P.C. having the same title, both pending in the Family Court at Safidon, District Jind to the Court of competent jurisdiction at Panipat.

2. The reason given in the application for the transfer is that father of respondent is a Senior Advocate at Safidon and none of the counsel at Safidon is ready to appear on behalf of the applicant, therefore, the applicant had to engage a counsel from Rohtak, resulting in causing great hardship to him.

3. After hearing learned counsel for the applicant and going through the record, I find that the respondent/wife had filed Transfer Application bearing No.311 of 2022 seeking transfer of these very cases

along with a Civil Suit pending in the Courts at Phagwara to the Court of competent jurisdiction at Safidon, District Jind. After being given notice, when the respondent/husband had appeared and contested the application, the same was allowed vide order dated 1.8.2022, copy of such order being Annexure P3. There the respondent/husband, who is applicant before this Court had vehemently contested the application, however, no plea is shown to have been taken by him that since father of the applicant Himani Flora in that application, namely, Sh.Vinod Kumar Deswal is a Senior Advocate at Safidon, due to that he had apprehension of not getting justice from the Court there.

4. Once after hearing both the parties, the application had been allowed by this Court, there is no occasion to review that order and entertain an application seeking re-transfer of the cases. Even otherwise, the reason given is not very convincing. The father of Himani Flora may be a Senior Advocate but no Advocate practising at a particular place can possibly interfere in judicial proceedings so as to get any favourable verdict for his relative. The cases cannot be transferred for such like reasons. Entertaining the application and allowing the same would amount to reviewing the order passed by a Co-ordinate Bench of this Court, which can certainly be not done.

5. Thus this application is doomed for failure and is dismissed accordingly.

(H.S.MADAAN)
JUDGE

12.7.2023

Brij

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No