

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

124

2024:PHHC:044164

CR-8132-2019
Date of decision: 02.04.2024

ASHOK KUMAR ..Petitioner

Versus

ANIL KUMAR AND ANOTHER ..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Ms. Ravinder Kaur Manaise, Advocate
for the petitioner.

Mr. Vivek K. Thakur, Advocate
for respondents.

ANIL KSHETARPAL, J(Oral)

1. In this revision petition, the respondent challenges the correctness of the trial Court's order dismissing his application under Order VII Rule 11 of the Code of Civil Procedure, 1908, for rejecting the petition on the ground of lack of territorial jurisdiction.
2. The dispute is with regard to the custody of minor child namely Smayra, who is daughter of respondent Sh. Anil Kumar.
3. The petitioner's claim that the child is staying at Batala and therefore, the Court at Kapurthala had no jurisdiction.
4. The learned counsel representing the respondents has submitted that he has no objection if the proceedings of the case are transferred from Kapurthala to the competent Court at Batala.
5. Keeping in view the aforesaid stand, the revision petition is disposed of by transferring case No.GW/27/2018, presented on 15.09.2018, titled as "Anil Kumar Vs. Ashok Kumar etc.", by directing the Court of Civil Judge (Senior Division), Kapurthala to transfer the file of case

No.GW/27/2018, titled as “Anil Kumar Vs. Ashok Kumar etc.” to the Court of Civil Judge (Senior Division), Batala, forthwith.

6. The parties through their counsel are directed to appear before the transferee Court i.e. Civil Judge (Senior Division), Batala, on 29.04.2024.
7. All the pending miscellaneous applications, if any, are also disposed of.

April 02nd, 2024
Ay

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No