



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

Sr. No.103

Date of Decision: 09.04.2025

1.

TA-755-2023

JORAWAR SINGH BHINDER

....Applicant

Versus

ATS INFRABUILD PVT. LTD. AND OTHERS

.....Respondents

2.

TA-752-2023

JORAWAR SINGH BHINDER

....Applicant

Versus

ATS INFRABUILD PVT. LTD. AND OTHERS

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Puran Singh Hundal, Senior Advocate assisted by
Mr. Gursahib Singh Hundal, Advocate
for the applicant (in both the cases).

None for respondent No.1 (in both the cases).

Mr. N.D.S. Mann, Advocate
for respondents No.2 and 3 (in both the cases).



TA-755-2023 AND TA-752-2023

ARCHANA PURI, J. (Oral)

These are two transfer applications filed by Jorawar Singh Bhinder-applicant, for seeking transfer of the litigation, pending between the parties to the lis.

TA-755-2023 has been filed by the applicant for seeking transfer of the civil suit i.e. CS/373/2018 titled '*Jorawar Singh Bhinder Vs. ATS Infrabuild Pvt. Ltd. and others*'.

TA-752-2023 has been filed by the applicant for seeking transfer of the civil appeal i.e. CMA/20/2019, titled '*Dr. Puleen Kaur and another Vs. Jorawar Singh Bhinder and another*'.

Both the aforesaid cases are pending in the Courts at SAS Nagar and the applicant is seeking transfer of the same to the Court of competent jurisdiction at Ludhiana.

In pursuance of the notice issued, respondent No.1 in the respective applications, did not make appearance, despite service. As such, he is proceeded against *ex parte*. However, respondents No.2 and 3 in both the applications, have made appearance through counsel and filed replies in the respective applications.

The counsel for the parties heard.

From the contents of both the transfer applications and also considering the replies filed, it is evident that there is a matrimonial dispute between the applicant-Jorawar Singh Bhinder and his wife, namely, Puleen Kaur Bhinder, who is respondent No.2 in both the applications. Respondent No.3 is the mother-in-law of the applicant. Suffice to consider that, on account of the matrimonial dispute, there were various rounds of litigation between the applicant and his wife, the detail whereof has been given in



paragraph No.13 of both the applications. However, during the pendency of the transfer applications, it was brought to the notice of the Court that settlement has been reached between the applicant and respondent No.2, *vis-a-vis* the litigation, as detailed in paragraph No.13 of the respective applications.

Considering the aforesaid, it is pertinent to mention that the transfer relates to the civil suit and the civil appeal, which is also an offshoot of the civil suit, being miscellaneous appeal qua the application under Order 39 Rule 1 and 2 CPC. The applicant is seeking transfer of the said cases, on account of the convenience of the applicant, as well as respondents No.2 and 3, who are residents of Ludhiana City. Besides the same, also it is pertinent to mention that, even another ground taken by the applicant relates to the apprehension in his mind, with regard to the harm to be caused to him, at the instance of respondent No.2 and her family members, more particularly, Major Angad Singh Brar, who is close relative of respondents No.2 and 3. In this regard, it is pertinent to mention that the assertions with regard to apprehending danger, at the instance of Major Angad Singh Brar, are quite vague. Even though, in paragraph No.18 of the applications, there is a mention made about the car of the applicant, having chased by a jeep of military colour with 4-5 occupants in Army uniform, but no specific name of the person has been given. If it had so happened, then also, there is nothing coming on record, about any action initiated at the instance of the applicant, qua chasing of his car by some unknown persons. As such, this assertion is also quite vague.

In the given circumstances, there is no merit in the submissions, with regard to apprehension of danger, at the instance of respondent No.2



and her family members. So far as convenience is concerned, respondent No.2 is not interested for transfer of the case at Ludhiana. The property in question is also situated within the jurisdiction of SAS Nagar. That being so, solely on account of the convenience, as projected by the applicant, no case is made out for transfer of the civil suit, as well as the civil appeal.

Hence, the transfer applications are bereft of merits and as such, are hereby dismissed.

09.04.2025

Himanshu

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No