



TA-1283-2023 (O&M)

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

Sr. No.170

TA-1283-2023 (O&M)

Date of Decision: 06.08.2025

SAKSHI ANAND AND OTHERS

....Applicants

Versus

NARINDER DHIR AND OTHERS

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Dhruv Gupta, Advocate
for the applicants
(through video conferencing).

Mr. Sandeep Bansal, Advocate
for respondent No.1 (sole contesting respondent).

Ms. Bharti, Advocate for
Mr. Shivoy Dhir, Advocate
for proforma respondent No.2.

ARCHANA PURI, J. (Oral)

CM-13865-CII-2025

The present application has been filed at the behest of the applicant, for placing on record copy of the complaints of four civil suits.



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In view of the averments made in the application, same is allowed and the requisite copies of the plaints, are taken on record as Annexure A-1.

Main case

The applicants-Sakshi Anand and others, have filed the present application for seeking transfer of the civil suit i.e. CS/298/2023, titled '*Narinder Dhir Vs. Sonia and others*', filed by respondent No.1 (father-in-law of applicant No.1). The said suit is pending in the Courts at Kalka, District Panchkula and the applicants seek transfer of the same to the Court of competent jurisdiction at Ambala.

Upon notice issued, respondent No.1, who is the sole contesting respondent, made appearance through counsel and filed reply.

Counsel for the parties heard.

At the very outset, it is submitted by the counsel for applicants that the marriage of applicant No.1-Sakshi Anand, was solemnized with Puneet Dhir, son of respondent No.1, on 28.04.2019. One son was born from the said wedlock on 04.05.2021 and he is presently in the care and custody of applicant No.1. The husband of applicant No.1 was habitual of making attempts to commit suicide and ultimately, he had committed suicide on 09.08.2023. However, during the lifetime of the husband of applicant No.1, a dispute had arisen between them, mainly on account of conduct of her husband. The deceased-husband of applicant No.1 had filed a petition under Section 9 of the Hindu Marriage Act i.e. HMA/198/2023, in the



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Courts at Panchkula. However, the applicant had filed the transfer application i.e. TA-734-2023 and thereupon, this Court vide order dated 31.05.2023, copy whereof is Annexure P-1, had transferred the said petition to the Court of competent jurisdiction at Ambala, where four cases were already pending between the parties. Furthermore, it is also submitted that subsequently, respondent No.1, who is father-in-law of applicant No.1, with an ulterior motive to cause harassment, humiliation and torture to applicant No.1 and her family members, had filed the subject civil suit, for seeking damages and compensation.

It is further submitted by the counsel for the applicants that applicant No.1 is a housewife and as such, she has no source of earning. Even, the minor child born from her wedlock, is in her care and custody. Furthermore, while making reference to paragraph No.4 of the application, it is submitted by the counsel that the other applicants, who are the family members of applicant No.1-Sakshi Anand, are also suffering from various medical ailments and in the given circumstances, it is difficult for the applicants to pursue the litigation at Kalka. Thus, a prayer for transfer of the civil suit, has been made, as four civil suits i.e. CS/1367/2023, CS/1369/2023, CS/1371/2023 and CS/1555/2023, are already pending in the Courts at Ambala.

On the other hand, the counsel for respondent No.1, while making reference to the reply filed, has assiduously submitted that the applicants have not come to the Court with clean hands. In fact, it is



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submitted that on account of bad conduct of applicant No.1, the son of respondent No.1 had committed suicide on 09.08.2023. Soon after his death, applicant No.1 has clamped four civil suits, one after the other, only with the purpose of financial gain. In fact, it is submitted that the subject case is not a matrimonial case and in fact is a civil suit and as such, presence of the applicants is not required on each and every date of hearing and anyone of the applicants can make appearance to pursue the civil suit, as and when their presence is required by the Court.

In view of the submissions aforesaid, it is pertinent to mention that there is no dispute about performance of marriage of applicant No.1, with Puneet Dhir, son of respondent No.1. Birth of one son from the said wedlock, who is about 4 years old at present and his custody being with applicant No.1, is also not disputed. The litigation having initiated between applicant No.1 and her husband, during the lifetime of Puneet Dhir, is also not disputed. The detail of the litigation, has been reproduced in the tabular form, by respondent No.1 in the reply. Though, it is stated that the subject suit is not a matrimonial dispute, but however, the contention so raised is not tenable. In fact, respondent No.1, who is father-in-law of applicant No.1, has filed the suit against his daughter-in-law and her family members and copy of the same is Annexure P-2. Perusal of the same reveals about the same to be an offshoot of the matrimonial discord and therefore, this fact ought to be taken into consideration. As evident from the record, the criminal case got registered at the instance of applicant No.1, is already



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pending in the Courts at Ambala. Besides the same, respondent No.1 and respondent No.2, his wife, are also arrayed as respondent in the petition under the Protection of Women from Domestic Violence Act, which is also pending in the Courts at Ambala. Except for this, four civil suits filed by applicant No.1, after the death of her husband, are also pending in the Courts at Ambala.

In view of the aforesaid fact situation and also considering the volume of litigation, already pending at Ambala, it is just and expedient to transfer the suit in hand also, to the Courts at Ambala, as the present suit is also an offshoot of the matrimonial dispute. As such, the transfer application is allowed and the civil suit i.e. CS/298/2023, titled '*Narinder Dhir Vs. Sonia and others*', filed by the respondent No.1 (father-in-law of applicant No.1), stands transferred from the Courts at Kalka, District Panchkula, to the Court of competent jurisdiction at Ambala. The requisite record of the aforesaid case be sent by the concerned Court at Kalka, to the District and Sessions Judge, Ambala.

Learned District and Sessions Judge, Ambala, shall allocate the said civil suit to the Court, where already four civil suits between the same parties, as discussed aforesaid, are already pending. Even, the parties are directed to appear before the concerned Court, within a period of one month from today onwards.

The Court concerned shall make an endeavour to adjourned all the cases, preferably for one and same date, more particularly, taking into



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consideration the date fixed in the criminal case, wherein respondent No.1 is an accused.

Also, respondent No.1 always has an option to file an application before the Court concerned, for seeking permission to appear through virtual mode, as and when required by the Court and upon filing of such application, the Court shall pass an appropriate order, in the fitness of the circumstances.

06.08.2025

Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No