



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

Sr. No.104

**TA-1067-2025 (O&M)
Date of Decision: 10.04.2026**

RANJIT KAUR AND OTHERS

....Applicants

Versus

JATINDER SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Piyush Sharma, Advocate
for the applicants.

Mr. Umesh Aggarwal, Advocate
for the respondent.

ARCHANA PURI, J. (Oral)

The applicants, who are the mother-in-law, wife, as well as other family members of the respondent, have filed the present application for seeking transfer of the suit for damages i.e. CS/2466/2024, titled '*Jatinder Singh Vs. Ranjit Kaur and others*', filed by the respondent (husband of applicant No.2). The said suit is pending in the Courts at Amritsar and the applicants seek transfer of the same to the Court of competent jurisdiction at Ferozepur.

In pursuance of notice issued, the respondent made appearance through counsel and filed reply.

Counsel for the parties heard.



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At the very outset, it is submitted by the counsel for the applicants that the marriage of applicant No.2-Harjeet Kaur, had taken place with the respondent-Jatinder Singh, on 30.01.2015. However, matrimonial dispute arose between them, as a result whereof, they are residing separate. There is one son born from the estranged marriage, who is about 10 years old and he is presently in the care and custody of the respondent.

Further, it is submitted that earlier, there was a criminal complaint lodged against the respondent, at the instance of the applicants side and the police authorities had thereupon stated that there is no merit in the same, as a result whereof, the complaint was filed. Thereafter, the suit for seeking damages has been filed by the respondent-Jatinder Singh, against his wife, parents-in-law, as well as brothers-in-law. Also, it is submitted that it was on the pretext of making efforts for compromise, that the custody of the child was given by applicant No.2, to the respondent, with a bonafide intention. However, thereafter the child was never returned by the respondent. In this regard, counsel makes reference to paragraph No.2, sub-clause (iii) of Annexure P-2. Further, it is submitted that guardianship petition, filed by applicant No.2 and the divorce petition, filed by the respondent, were earlier pending in the Courts at Amritsar. However, in pursuance of order dated 11.12.2023, passed in TA-1081-2022 and TA-947-2022, both the aforesaid cases were transferred to Ferozepur Courts and both the cases are still pending there and the respondent is pursuing the said litigation.

Also, it is submitted that the distance between the two places is 120 kms. Furthermore, the petition under the Protection of Women from



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Domestic Violence Act was filed by the respondent and an appeal i.e. offshoot of the said petition was also filed and both the said cases are also pending in the Courts at Ferozepur. It is submitted that parents-in-law of the respondent are aged persons. Even, applicant No.2 is not having any source of earning. Since other litigation is already pending in the Courts at Ferozepur, a submission is made to transfer the suit for damages, filed with a malafide intention, to the Courts at Ferozepur.

On the other hand, counsel for the respondent, while making reference to the reply, submits that the respondent had a choice to file the suit either at Amritsar or Ferozepur. Since he is residing in Amritsar and conducting his business there, it was convenient for him to file the suit for damages at Amritsar. Counsel for the respondent has placed reliance upon ***'Dr. Balbir Singh Virk and another Vs. Rajinder Kumar Mangal'*** Doc ID # ***1110103***, wherein it was held that the provision of law gives a choice to the aggrieved person, to file a suit for damages, at either of the places, where the wrongdoer is residing, or where he/she is residing.

May it be so. Still, the Court concerned has to take into consideration various other circumstances, spelt out from the material brought on record. It has to be taken into consideration that the suit in hand, which is sought to be transferred, is an offshoot of the matrimonial dispute of applicant No.2 with the respondent. Earlier, considering the constrained circumstances faced by applicant No.2, this Court had transferred two other cases i.e. the divorce petition, as well as the guardianship petition, from Amritsar to Ferozepur. Besides the said case, also two other cases i.e. the petition under the Protection of Women from Domestic Violence Act, as well



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as, an appeal, which is an offshoot of the said petition, are also pending in the Courts at Ferozepur.

Considering the aforesaid fact situation and also taking into consideration about the suit, which is sought to be transferred, to be an offshoot of the matrimonial litigation, the transfer application is allowed and the suit for damages i.e. CS/2466/2024, titled '*Jatinder Singh Vs. Ranjit Kaur and others*', filed by the respondent (husband of applicant No.2), stands transferred from the Courts at Amritsar, to the Court of competent jurisdiction at Ferozepur. The requisite record of the aforesaid case be sent by the concerned Court at Amritsar, to the District and Sessions Judge, Ferozepur.

Learned District and Sessions Judge, Ferozepur, shall assign the said petition to the Court of competent jurisdiction at Ferozepur. Even, the parties are directed to appear before the Court concerned, within a period of one month from today onwards.

Pending civil miscellaneous application also stands disposed of.

10.04.2026

Himanshu Vats

**(ARCHANA PURI)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No