



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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TA-1547-2025 (O&M)

Date of Decision: March 24, 2026

Vidya Devi and another

...Applicants

Versus

Anita Devi and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.Anil Shukla, Advocate
for the applicants.

Mr.Sandeep Kumar Yadav, Advocate
for respondent No.1.

Mr.Ramnish Puri, Advocate
for respondent No.2.

None for the respondent.

ARCHANA PURI, J.

The applicants have filed the present application for seeking transfer of the civil suit No.675 of 2020, titled ‘Anita Devi vs. Surrender Kumar and others’, pending before the trial Court, Narnaul, and she seeks transfer of the same to the Court of competent jurisdiction at Gurugram or any other District Court, situated nearby.

In pursuance of the notice issued, respondents No.1 and 2 made appearance through respective counsel and file their respective replies.

Counsel for the parties heard.

It is submitted by counsel for the applicant that husband of



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respondent No.1 is an advocate at District Court, Narnaul. However, when the evidence was being recorded, allegedly a quarrel had taken place between the parties and on this account, the cross-examination, as such, could not be conducted further. In fact, it is submitted by counsel for the applicants that the counsel representing the applicants before the trial Court had also stated he will not pursue the case on behalf of the applicants and therefore, in the given circumstances, it is difficult for them to pursue the litigation, initiated at the instance of respondents. On this account, a prayer has been made for transfer of the civil suit.

On the other hand, counsel for respondents No.1 and 2, while making reference to their respective replies, denied the allegations, as such, raised in the application. Rather, it is submitted that no case is made out for the acceptance of the transfer application. In fact, it is the only ground raised to delay the decision of the civil suit. Furthermore, it is also submitted by the counsel that the said civil suit is pending in the Court since the year 2020 and the respondents are pursuing the same, for the last five years and at this stage, it cannot be said that there was any malafide intention, on the part of respondents No.1 and 2 to thwart pursuing of the litigation by the applicants.

On query by the Court, it is submitted that allegedly a quarrel had taken place. If it be so, without prejudice to the rights of the parties, to be adjudicated on merits in the case, pending before the trial Court, even if, we start with assumption that any such quarrel had taken place, between the parties, then also, it was required, on the part of counsel for both the parties, to seek intervention of the Presiding Officer. Nothing, as such, is evident



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from the contents of the application that any such intervention was sought. On further query by the Court, it is disclosed by counsel for the applicants that the case was going on smoothly, for the last five years, prior to the date, when the quarrel had allegedly taken place.

Considering the aforesaid circumstances, as such, no case is made out to transfer the civil suit outside District Narnaul, as the ground made out, is not a valid ground to accept the transfer application.

However, in the fitness of the circumstances, an offer was made to counsel for both the sides that evidence, henceforth, shall be recorded not through the Local Commissioner, but only in the presence of the Presiding Officer, on his dictation, in the open Court. The said offer, as such, is acceptable to the counsel for the parties.

Hence, it is hereby requested that the Presiding Officer, dealing with the aforesaid civil suit (Annexure P-1) shall further record the evidence, in open Court, on his dictation and if any dispute arises between the parties, he may give a note, while recording the evidence and shall watch the demeanor of the witnesses, so as to avert any unpleasant incident taking place in the Court.

In the light of the aforesaid directions, counsel for the applicant submits that at this stage, he does not want to pursue with the present application, which may be dismissed as withdrawn.

Ordered accordingly.

March 24, 2026

Vgulati

Whether speaking/reasoned

Whether reportable

(ARCHANA PURI)

JUDGE

Yes

Yes/No