

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****145-II****TA-1700-2025 (O&M)****Date of decision: 27.05.2026****Muskanpreet Kaur****...Petitioner(s)****Vs.****Karamdeep Singh****...Respondent(s)****CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA**

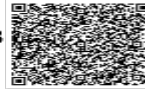
Present:- Mr. Rahul Verma, Advocate
for the petitioner.

Mr. Sandeep Arora, Advocate
for the respondent.

NIDHI GUPTA, J.

Present Petition under Section 24 of Civil Procedure Code, 1908 has been filed by the petitioner/defendant seeking transfer of Civil Suit No. 3132 of 2025 titled as 'Amrik Singh vs. Muskanpreet Kaur (Annexure P-2) filed by the respondent/father-in-law of the petitioner, presently pending before the Additional Civil Judge (Senior Division), Jalandhar to the Court of Competent Jurisdiction at Amritsar, Punjab.

2. Learned counsel for the petitioner/defendant seeks transfer of the above said Civil Suit No. 3132 of 2025 (Annexure P-2) filed by the respondent seeking decree of permanent injunction restraining the defendant/petitioner herein, her agents et cetera from causing any interference into peaceful possession of the suit property, which is pending before the learned Additional Civil Judge (Senior Division), Jalandhar to any



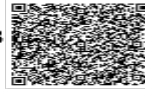
other Court of competent jurisdiction at Amritsar, Punjab *inter alia* on account of the following grounds: -

- that the petitioner was married to the son of the respondent on 02.12.2023;
- that no child was born out of the wedlock of the petitioner and son of the respondent;
- that due to matrimonial discord, petitioner and son of the respondent are residing separately since 12.09.2025;
- As petitioner is unemployed and has no source of income, therefore, it is difficult for her to undertake travel of about 80 k.m. one way from Amritsar to Jalandhar; and
- that petitioner has filed application under Section 144 of Bharatiya Nagarik Suraksha Sanhita for grant of maintenance, which is pending adjudication before the Court of Ld. Principal Judge, Family Court Amritsar.

3. It is accordingly prayed that on account of the above said reasons, the present Transfer Application be allowed; and the Civil Suit No. 3132 of 2025 (Annexure P-2) filed by the respondent pending before the learned Civil Judge (Senior Division), Jalandhar be transferred to the Court of competent jurisdiction at Amritsar, Punjab.

4. *Per contra*, learned counsel for the respondent opposes submissions made on behalf of the petitioner on the following grounds: -

- that petitioner has no onerous responsibilities that prevent her from travelling the short distance of about 80 km, one side from Amritsar to Jalandhar;
- On the other hand, the respondent is a 60-year-old aged person having age related problems; and
- that the suit property which is a residential house is situated at Rose Park, Jalandhar. Therefore, jurisdiction lies to Civil Court, Jalandhar;



and therefore, the present petition is misconceived being not maintainable.

5. It is accordingly prayed that the present Petition be dismissed.

6. No other argument has been made on behalf of Id. counsel for the parties. I have heard Id. counsel and have perused the case file in detail. I find no merit in the submissions advanced on behalf of the petitioner.

7. On a Court query, learned counsel for the petitioner has admitted that petitioner is a graduate. It is also admitted that respondent is an old man aged 60 years. As per the averments made by the petitioner in the application filed by her under Section 144 of the Bharatiya Nagarik Suraksha Sanhita for grant of maintenance (Annexure P-1), no child was born out of the wedlock of the petitioner and son of the respondent. Clearly therefore, petitioner has no onerous responsibilities that prevent her from travelling the short distance of 80 km, one side from Amritsar to Jalandhar. In this situation, no exceptional or compelling circumstances have been brought on record by the petitioner to show that she is incapable of travelling short distance of 80 k.m. one side between Amritsar and Jalandhar; and that too, not on every date of hearing, but only on effective dates. Petitioner has been unable to make out any extenuating circumstances or hardship that warrant exercise of discretionary relief in her favour.

8. Last but most importantly, it is not disputed that suit land is situated at Rose Park, Jalandhar. As such, jurisdiction lies with the Civil Court at Jalandhar. In this regard, reference is made to a judgment passed by this Court in **Usman @ Usman Khan v. Sunder Singh, (Punjab And Hary-**

ana): Law Finder Doc Id # 2765214; wherein it is held that *“Territorial jurisdiction in suits related to immovable property must adhere to section 16 of the Code of Civil Procedure, 1908, which mandates filing the suit in the Court within the local limits of where the property is situated.”*

9. In this circumstance, petitioner has been unable to make out any extenuating circumstances or hardship that warrant transfer of the Civil Suit from Jalandhar to any other Court in Amritsar.

10. Accordingly, in view of the factual and legal position as noted above, finding no merit in this petition, the same is hereby **dismissed**.

11. Pending applications, if any, also stand dismissed.

27.05.2026

Divyanshi

(NIDHI GUPTA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No