

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

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TA-1729-2025 (O&M)

Date of decision: 26.05.2026

**Amolak Raj alias Naranjan Chand (since deceased)
through Legal Representatives**

...Petitioner(s)

Vs.

Rajinder Kumar and others

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Parvez Chugh, Advocate
for the petitioner.

Mr. Kamal Narula, Advocate
for respondents No.1 to 3.

NIDHI GUPTA, J.

Present Petition under Section 24 of Civil Procedure Code, 1908 has been filed by the defendant through LRs seeking transfer of Civil Suit titled as 'Rajinder Kumar and others versus Amolak Raj alias Naranjan Chand' bearing No.CS-132-2024 (P/1) filed by the respondents/plaintiffs for possession by way of specific performance of Agreement to Sell dated 20.07.2022, presently pending before the Additional Civil Judge (Senior Division), Guruharsahai from Guruharsahai, District Ferozepur to the Court of Competent Jurisdiction at any other District in the State of Punjab.

2. Learned counsel for the petitioner/defendant seeks transfer of the above said Civil Suit No. 132 of 2024 pending before the learned Additional Civil Judge (Senior Division), Guruharsahai to any other District in the State of Punjab *inter alia* on account of the following grounds: -



- that on dated 12.03.2024 the plaintiffs/respondents No.1 to 3 herein had filed the Suit for possession by way of specific performance of Agreement to Sell dated 20.07.2022 (Annexure P-1);
 - Petitioner/defendant through LR's had filed written statement dated 01.04.2024 (Annexure P-2). Petitioner had pointed out therein that Civil Suit had been filed by the respondents against the petitioner on the basis of forged and fabricated document;
 - In thus regard, Petitioner had even registered an FIR No. 290 dated 10.09.2025 under section 419, 420, 465, 467, 468, 471 and 120-B of IPC at Police Station Guruaharsahai, District Ferozepur against the respondents. It took more than three years for the Petitioners to get the said FIR lodged against the Respondents.
 - that respondent No.3 is the Vice President of the Bar Association at Guruaharsahai, District Ferozepur where suit is being tried;
 - Respondent No.3 has openly claimed in the presence of the petitioner that the Local Courts will not give verdict against him as he is Vice President of the Local Bar Association.
3. It is submitted that accordingly petitioner has reasonable and strong apprehension that respondent No.3 will misuse his influence which may cause prejudice or delay to the cause of the petitioners.
4. It is accordingly prayed that the present Transfer Application be allowed; and the Civil Suit filed by the respondents be transferred from Guruaharsahai to any other District in the State of Punjab.
5. *Per Contra*, Id. counsel for respondents No. 1 to 3 opposes submissions made on behalf of the petitioner on the following grounds: -
- that in respect of Agreement dated 20.07.2022, petitioner had filed FIR No. 290 dated 10.09.2025 i.e. 3 years after the execution of the allegedly forged Agreement dated 20.07.2022.



- It is admitted that respondent No.3 is a Lawyer. However, it is denied that respondent No.3 has made any such irresponsible statement as alleged by the petitioner.
- It is also submitted that the suit property is situated in village Mohan Ke Hithar, Tehsil Gurusahai, District Ferozpur. Therefore, jurisdiction lies to Civil Court, Gurusahai; and therefore, the present petition is misconceived being not maintainable.

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

7. 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.

8. It is not disputed that in respect of the allegedly forged Agreement to Sell dated 20.07.2022, petitioner has registered FIR No. 290 only on 10.09.2025. In fact, in para 1 of the present Transfer Petition petitioner has admitted that *"It took more than three years for the Petitioners to get the said FIR lodged against the Respondents"*.

9. Be that as it may, the primary ground on which the petitioner is seeking transfer is that respondent No.3 is a lawyer/Vice President of the Bar Association at Gurusahai as a result of which petitioner has apprehension that respondent No.3 will misuse his influence. However, on a Court query, learned counsel for the petitioner has admitted that no complaint has been filed by the petitioner against respondent No.3 in respect of his alleged statement. Moreover, the said allegations of the petitioner appear to be vague and general in nature as even no specific date, time or place is mentioned as to when, where, and in the presence of which per-

sons has respondent No.3 had openly claimed that Local Court will not give verdict against him.

10. Last but most importantly, it is not disputed that suit land is situated at Village Mohan Ke Hithar, Tehsil Guruharsahai, District Ferozepur. As such, jurisdiction lies with the Civil Court at Guruharsahai.

11. At this stage, reference is made to a judgment passed by this Court in **Usman @ Usman Khan v. Sunder Singh, (Punjab And Haryana): 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.”*

12. In this circumstance, petitioner has been unable to make out any extenuating circumstances or hardship that warrant transfer of the Civil Suit from Guruharsahai to any other Court in State of Punjab. Moreover, the matter is now at the stage of plaintiffs’ evidence. Nothing has been pointed out by the petitioner to this Court that any untoward incident, as apprehended by him has ever taken place till date or that any inconvenience has been caused to him.

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

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

26.05.2026
Divyanshi

(NIDHI GUPTA)
JUDGE

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