



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

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(i) TA-964-2024 (O&M)

Ranjeet Singh

...Applicant

VERSUS

Tania and others

...Respondents

(ii) TA-969-2024 (O&M)

Ranjeet Singh

...Applicant

VERSUS

Tania

...Respondent

Date of Decision: August 08, 2025

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.J.K.Singla, Advocate
for the applicant.

Mr.J.S.Brar, Advocate
for respondent No.1

ARCHANA PURI, J.

These are two transfer applications i.e. TA-964-2024 and TA-969-2024, filed at the instance of Ranjeet Singh, thereby, seeking transfer of the civil suit bearing No.318 dated 18.04.2023 as well as civil suit No.17 dated 22.05.2023 (petition under Section 20 of the Hindu



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Adoption & Maintenance Act), both titled 'Tania vs. Ranjeet Singh', filed by respondent No.1, pending before learned trial Court as well as Family Court, Faridkot and he seeks transfer of the same to the Court of competent jurisdiction at Phul, District Bathinda.

Upon notice issued, contesting respondent No.1 made appearance through counsel and filed the replies in the respective transfer applications.

Learned counsel for the parties heard.

At the very outset, it is submitted by learned counsel for the applicant that respondent No.1-Tania is grand daughter of Shanti Devi, wife of Mohinder Pal Sharma. Said Shanti Devi is real sister of Darshna Devi, deceased wife of the applicant. The applicant as well as his wife were having good talking terms with family members of Shanti Devi. However, Darshna Devi, wife of the applicant had died on 19.02.2023. Thereupon, family members of Shanti Devi i.e. respondent No.1, with malafide intention to grab share of deceased wife, alleged herself to be daughter of Darshna Devi.

Also, it is submitted that though the applicant was married with Darshna Devi, but however, they did not have any child from the said wedlock. After the death of Darshna Devi, respondent-Tania, on the basis of her being adopted daughter, asserted her right to inheritance to the extent of half share in the property of Darshna Devi and had filed the suit, which is pending in the Courts at Faridkot. However, the applicant had also filed civil suit No.353 dated 11.05.2023, thereby, challenging the validity and

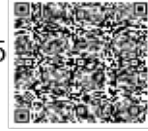
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legality of the adoption deed No.3555 dated 17.01.2018, relating to respondent No.1 and the same is pending in the Courts at Phul.

Besides the same, also it is submitted that FIR No.45 dated 05.05.2023 at Police Station Phul, District Bathinda, was got lodged, at the instance of the applicant, which is also pending in the Courts at Phul. Respondent No.1 had also filed petition under Section 20 of the Hindu Adoption and Maintenance Act, which is pending in the Courts at Faridkot. Further, it is submitted that the distance between the two places is about 81 kms. The applicant is about 73 years old and a retired person and in these circumstances, it is difficult for him to pursue the litigation, which is pending at Faridkot.

On the other hand, learned counsel for respondent No.1, while making reference to the reply submits that respondent No.1 was adopted by the applicant as well as his deceased wife vide Adoption Deed No.3555 dated 17.01.2018. However, after the death of Darshna Devi, the applicant denied about respondent-Tania to be the adopted daughter and refused to pay the education expenses also. Further, it is submitted that respondent No.1 is pursuing her studies for General Nursing and Midwifery (GNM course) at Baba Banda Singh Bahadar College of Nursing. She had also filed civil suit No.528 of 2023 as well as petition for grant of maintenance bearing No.CS-830-2023, which are pending in the Courts at Faridkot.

In the given circumstances, it is submitted that it shall also be difficult for respondent No.1 to pursue the litigation, if so transferred to Phul, District Bathinda.

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From the submissions aforesaid and the documents placed on record, it is evident that the dispute had arisen between the parties, after the death of Darshna Devi, wife of applicant-Ranjeet Singh. Various rounds of litigation were initiated, on the basis thereof. Two Civil Suits bearing No.CS-442-2023 and CS-830-2023, which are filed at the instance of respondent No.1, are pending in the Courts at Faridkot, whereas, civil suit filed at the instance of the applicant to challenge the adoption deed bearing No.353 dated 11.05.2023, is pending in the Courts at Phul. Besides the same, challan vis-a-vis, FIR got lodged at the instance of the applicant against respondent No.1 and various members, has already been presented and trial is pending in the Courts at Phul.

Considering the same, it is pertinent to mention that even though, generally the Courts lean towards the convenience of women folk, while considering the transfer application, but however, it is not a thumb rule. Other circumstances, spelt out from the material, ought to be taken into consideration. Applicant-Ranjeet Singh is 73 years. Respondent No.1- Tania and other accused are already facing trial in the criminal case at Phul.

In the given circumstances, while watching the interest of both the applicant as well as respondent No.1, it is quite obvious that respondent No.1 is still in better position to pursue the litigation, if so transferred to Phul, as she is required to make appearance in the criminal case, on each and every date of hearing.

Considering all the aforesaid circumstances, both the transfer applications, as such, are hereby allowed. The civil suit bearing No.318



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dated 18.04.2023 as well as civil suit No.17 dated 22.05.2023 (petition under Section 20 of the Hindu Adoption & Maintenance Act), both titled 'Tania vs. Ranjeet Singh', pending before learned trial Court and Family Court, Faridkot, stand transferred to the Courts of competent jurisdiction at Phul. The requisite record of the aforesaid cases be sent by the trial Court and Family Court, Faridkot, respectively, to the District and Sessions Judge, Bathinda.

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

August 08, 2025
Vgulati

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No