

TA-230-2013 (O&M)

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

**TA-230-2013 (O&M).
Decided on: April 21, 2015.**

Gurpinder Kaur

..... Petitioner(s)

Versus

Bhupinder Singh

..... Respondent(s)

*** * ***

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

**PRESENT Mr.S.K.Kharb, Advocate,
for the petitioner.**

**Mr.R.S.Kundu, Advocate,
for the respondent.**

M.M.S. BEDI, J (ORAL).

The wife has filed this revision petition for transferring a petition under Section 13 of the Hindu Marriage Act, filed by the respondent-husband at Karnal to Chandigarh, inter alia, on the ground that she along with minor daughter is residing at Raipur Khurd near Chandigarh City. The criminal case under Sections 406 & 498-A IPC also seems to have been registered against the respondent-husband. Petition under Section 12 of the Protection of Women from Domestic Violence Act, 2005, is also stated to be pending in District Court, Chandigarh.

Counsel for the respondent has opposed the application for transfer, inter alia, on the ground that a petition for quashing of criminal proceedings is pending before this Court before

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another Bench and that inconvenience will be caused to the husband-respondent in case the proceedings in divorce petition are transferred.

Counsel for the respondent has relied upon **Smt.Vaishali Dahat Vs.Ashok Dahat, AIR 2008 (NOC) 643 (M.P.)**, in support of his contention that mere convenience of the wife is no ground for transfer of the case. From the notes of case in the judgment, it appears that in that case wife was serving in Police Department. Taking into consideration the circumstances of said case, the transfer application appears to have been dismissed.

I have considered the contention of the learned counsel for the petitioner as well as the learned counsel for the respondent and I am of the opinion that convenience of the wife in matrimonial case may constitute a good ground for transfer as in the present case the respondent-husband is facing other proceedings in Chandigarh.

The petition is allowed. The divorce petition titled “Bhupinder Singh Vs. Gurbinder Kaur” pending in the Court of District Judge, Karnal, is transferred to the District Judge, Chandigarh.

File complete in all respects be sent to the Court of District Judge, Chandigarh, forthwith. The parties are directed to appear before the District Judge, Chandigarh on 23.5.2015 at 2:00 PM. It will be open to the District Judge, Chandigarh, to entrust the

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proceedings in divorce petition to any other Court of competent jurisdiction.

April 21, 2015.
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(M.M.S. BEDI)
JUDGE