

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

TA No.479 of 2013

Date of decision: May 7, 2015.

Renu

... **Petitioner**

v.

Devi Dayal

... **Respondent**

CORAM: **HON'BLE MR. JUSTICE DR. BHARAT BHUSHAN PARSOON**

Present: Shri Ravinder Malik, Advocate, for the petitioner.

Shri Rajesh Kataria, Advocate for the respondent.

Dr. Bharat Bhushan Parsoon, J. (Oral):

Reply filed in Court today, is taken on record.

Counsel for the petitioner seeks transfer of the petition under Section 13 of the Hindu Marriage Act, 1955 (in short the Act) filed by the respondent-husband for dissolution of marriage by a decree of divorce from Jind to Rohtak.

It is also urged that the respondent-husband is also facing criminal proceedings inter-alia under Section 498-A IPC as also proceedings under Section 125 Cr.P.C. at Meham, Rohtak. Besides this, it is very difficult for her to undertake journey of 100 kilometers from Rohtak to Jind on each and every date of hearing.

The respondent has controverted the assertion of the petitioner as regards the distance which the petitioner will have to cover while

travelling from her native village Bhani Mato to Jind, which according to the respondent is 48 kilometers whereas distance between her native village to Rohtak is 40 kilometers. It is thus asserted that the distance which the petitioner will have to travel would hardly bother the petitioner in case the petition is transferred to Rohtak. It is further averred that the petitioner has suffered amputation of right foot leading to 50% physical disability.

In view of the submissions made by Counsel for the parties as also the circumstances explained by them, the request is allowed.

Sequelly, the petition under Section 13 of the Hindu Marriage Act, 1955 pending at Jind is transferred to District Judge, Rohtak who may assign it to any competent court. Both the concerned District Judges to comply.

Parties to appear before the transferee court on 12.6.2015.

The petition stands allowed.

Copy dasti on usual charges.

May 7, 2015.
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[Dr. Bharat Bhushan Parsoon]
Judge