

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

TA No.681 of 2013

Date of decision: May 8, 2015.

Simmi

... **Petitioner**

v.

Rajinder Kumar

... **Respondent**

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

Present: Shri S.K. Behl, Advocate for
Shri M.K. Bhatnagar, Advocate, for the petitioner.

Shri Vineet Kaushal, Advocate for the respondent.

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

Despite opportunity, Counsel for the respondent has not filed reply. Further adjournment for filing reply is declined.

Counsel for the petitioner seeks transfer of the petition under Section 9 of the Hindu Marriage Act, 1955 (in short the Act) filed by the respondent-husband for restitution of conjugal rights from Samrala to Mohali.

It is also urged that the respondent-husband is also facing criminal proceedings inter-alia under Section 498-A IPC at Samrala. Besides this, it is very difficult for her to undertake journey of 60 kilometers from Mohali to Samrala on each and every date of hearing, when she has also to take care of two minor children born out of the wedlock.

The respondent has vehemently contested the prayer of the

petitioner.

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

Sequely, the petition under Section 9 of the Hindu Marriage Act, 1955 pending at Samrala is transferred to District Judge, Mohali 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 8, 2015.
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[Dr. Bharat Bhushan Parsoon]
Judge