

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

TA No.110 of 2015

Date of decision: February 11, 2015.

Jyoti Arora

... **Petitioner**

v.

Gulshan Arora

... **Respondent**

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

Present: Shri Munish Bhardwaj, Advocate, for the petitioner.

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

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 Chandigarh to Jalandhar.

It is urged that distance between Jalandhar and Chandigarh is approximately 150 kilometers, and keeping in view the fact that the petitioner has to look after and maintain a minor daughter of four and a half years of age born out of the wedlock, as also the peculiar family circumstances, viz, one married sister of the petitioner is residing at Amritsar and the parents of the petitioner are at the disposal of her another widowed paralytic sister at Jalandhar, she has also to reside with them at Jalandhar, though the territorial jurisdiction to file a petition under Section 9 of the Act lies at Ludhiana, it will be quite detrimental to her interest to commute to and fro Jalandhar and Chandigarh, on each and every date of hearing. It is further submitted that the respondent-husband has got a touring job and the area of operation of the respondent-husband is mainly at

Jalandhar and Amritsar, and thus it will not be inconvenient for him to attend the proceedings at Jalandhar.

No notice is being issued to the respondent in order to obviate delay, more so when no prejudice is likely to be caused to the respondent in view of the nature of order which this Court proposes to pass.

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

Sequelly, the petition under Section 9 of the Hindu Marriage Act, 1955 pending at Chandigarh is transferred to Jalandhar. Both the concerned District Judges to comply.

The petition stands disposed of.

Copy dasti on usual charges.

February 11, 2015.
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[Dr. Bharat Bhushan Parsoon]
Judge