

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

TA No.18 of 2015

Date of decision: January 09, 2015.

Sonu Singh

... **Petitioner**

v.

Harshwardhan Singh

... **Respondent**

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

Present: Shri Rakesh Dhiman, 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 Fatehabad to Gurgaon, where she is residing, claiming that continuance of petition under Section 9 of the Act at Fatehabad would cause great hardship to her as she would not be able to contest the same competently, effectively and wholesomely by travelling a distance of more than 300 kilometers on each and every date of hearing. It is averred that the respondent-husband is already contesting petition under Section 12 of the Protection of Women Against Domestic Violence Act, 2005 at Gurgaon but this petition under Section 9 of the Act has been preferred by him at Fatehabad as a counter-blast to the aforesaid petition merely to harass and humiliate her.

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 circumstances explained in the petition and particularly when the husband is already contesting proceedings under Section 12 of the Protection of Women Against Domestic Violence Act, 2005 at Gurgaon, the petition under Section 9 of the Hindu Marriage Act, 1955 is ordered to be transferred from Fatehabad to the court of competent jurisdiction at Gurgaon. Compliance be made by the District & Sessions Judge, Fatehabad.

The petition stands disposed of.

January 09, 2015.
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[Dr. Bharat Bhushan Parsoon]
Judge