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

TA No.19 of 2015
Date of decision: January 09, 2015.

Meenakshi Verma

... **Petitioner**

v.

Hemant Nanda

... **Respondents**

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

Present: Shri Prateek Pandit, 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 Gurdaspur to Jalandhar, where she is residing and serving as a government servant, claiming that continuance of petition under Section 9 of the Act at Gurdaspur would cause great hardship to her as she would not be able to contest the same competently, effectively and wholesomely in view of her job exigencies. It is averred that the respondent-husband is already facing criminal trial under Section 365 IPC at Jalandhar. Counsel for the petitioner further states that the present petition has been filed merely as a reprisal action whereas the same lacks genuineness and bona-fides on the part of the husband.

No notice is being issued to the respondent in order to obviate

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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 facing criminal trial under Section 365 IPC at Jalandhar, the petition under Section 9 of the Hindu Marriage Act, 1955 is ordered to be transferred from Gurdaspur to the court of competent jurisdiction at Ludhiana. Compliance be made by the District & Sessions Judge, Gurdaspur.

The petition stands disposed of.

[**Dr. Bharat Bhushan Parsoon**]
Judge

January 09, 2015.
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