

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

TA No.323 of 2015.
Decided on:-7.5.2015.

Payal.Petitioner.

Versus

Ashwani Kumar.Respondent.

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

Argued by:- Mr. Aayush Gupta, Advocate
for the petitioner.

Dr. Bharat Bhushan Parsoon, J.

Counsel for the wife, petitioner herein, seeks transfer of petition under Section 9 of the Hindu Marriage Act, 1955 (for short, the Act) filed by the husband, respondent herein, from Batala, District Gurdaspur to Ludhiana as the petitioner is residing alongwith her parents and a breast-fed son of about 10 months at Ludhiana, which is more than 150 Kms. away from Batala.

2. It is also urged that the petitioner-wife has filed a petition, interalia, under Section 12 of the Protection of Women from Domestic Violence Act, 2005 against the respondent-husband, which is pending adjudication in the court at Ludhiana.

3. No notice to the opposite side is being issued to avoid delay and further because no prejudice would be caused to the other party.

4. In view of the submissions made by counsel for the petitioner as also the circumstances explained in the petition, the request is allowed.

5. Sequelly, the petition under Section 9 of the Act pending before Additional Civil Judge (Senior Division), Batala, District Gurdaspur is transferred to District Judge, Ludhiana who may further assign the same to some other court of competent jurisdiction there. Both the concerned District Judges to comply.

6. Disposed of accordingly.

7. Copy Dasti on usual charges.

May 07, 2015
'Yag Dutt'

(Dr. Bharat Bhushan Parsoon)
Judge