

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.**

TA No.539 of 2015.

Date of Decision: 08.12.2015.

Jyoti

....Petitioner.

VERSUS

Mukesh Singh

....Respondent.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR.

Present: Mr. S.K. Biriwal, Advocate for the petitioner.

Mr. Kamal Jeet Singh Sidhu, Advocate for the respondent.

SNEH PRASHAR, J.

This petition under Section 24 of the Code of Civil Procedure was filed by Smt. Jyoti-wife seeking transfer of the petition under Section 13(1) of the Hindu Marriage Act, 1955 (for short, “the Act of 1955”) filed by the respondent-husband from the court of learned Additional District Judge, Bathinda to the Court of competent jurisdiction at Ambala.

Power of Attorney on behalf of the respondent has been filed. Learned counsel for the respondent submitted that as per instruction from the respondent he has no objection to the transfer of the petition from the Court of Additional District Judge, Bathinda to a Court of competent jurisdiction at Ambala as prayed for by the petitioner.

Otherwise also, as submitted by learned counsel for the petitioner, a petition under Section 125 of the Code of Criminal Procedure

arising out of the marital discord between the parties is already pending at Ambala. There are two minor children born out of the wedlock of the parties and the younger one is living under the care and custody of the petitioner. The distance between Bathinda and Ambala is more than 240 kilometers and it will indeed be inconvenient for the petitioner to travel such a distance alongwith the minor child to defend the petition filed by the respondent.

Accordingly, the petition under Section 13(1) of the Act of 1955 pending before Additional District Judge, Bathinda is withdrawn from the said Court and is transferred to the Court of competent jurisdiction at Ambala. The file shall be sent by the trial Court to the District and Sessions Judge, Ambala within two weeks from the date of receipt of copy of this order, who will either keep the petition himself/ herself or will entrust the same to any other court of competent jurisdiction at Ambala.

The parties are directed to appear before the District Judge, Ambala on 15.01.2016.

(SNEH PRASHAR)
JUDGE

08.12.2015.

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