

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

TA No.71 of 2015

Date of decision: January 29, 2015.

Jaswinder Kaur

... **Petitioner**

v.

Harinderpal Singh

... **Respondent**

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

Present: Shri Manipal Singh Atwal, 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 Kapurthala to a court of competent jurisdiction at Dasuya (Hoshiarpur).

It is also urged that the respondent-husband is also facing proceedings under Section 125 Cr.P.C. as also under Section 12 of the Protection of Women from Domestic Violence Act, 2005 at Dasuya. Besides this, she being unemployed; her parents being ailing and infirm and all her siblings having settled abroad, it will be very difficult and harmful for her to travel all alone a distance of about 80 kilometers from Dasuya to Kapurthala in absence of a male member in her family, on each and every date of hearing.

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.

Sequely, the petition under Section 9 of the Hindu Marriage Act, 1955 pending at Kapurthala is transferred to Dasuya. Both the concerned District Judges to comply.

The petition stands disposed of.

Copy dasti on usual charges.

January 29, 2015.
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[Dr. Bharat Bhushan Parsoon]
Judge