

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

TA No.74 of 2015

Date of decision: January 29, 2015.

Mamta

... **Petitioner**

v.

Hemant Pasricha

... **Respondent**

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

Present: Shri Joginder Sharma, Advocate, for the petitioner.

Dr. Bharat Bhushan Parsoon, J. (Oral):

Counsel for the petitioner seeks transfer of the petition under Order 9 Rule 13 CPC filed by the petitioner at Amritsar as also execution petition filed by respondent-husband in petition under Section 9 of the Hindu Marriage Act, 1955 from Amritsar to a court of competent jurisdiction at Faridkot.

It is also urged that the respondent-husband is also facing proceedings under Section 125 Cr.P.C. as also criminal proceedings inter-alia under Section 498-A and under the provisions of the Protection of Women from Domestic Violence Act, 2005 at Faridkot. Besides this, distance between Faridkot and Amritsar is approximately 130 kilometers and the petitioner being a household lady having no source of income, her parents being old and infirm and there being no male member to accompany her, it will be very difficult for her to travel to and fro Faridkot and Amritsar 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.

Sequelly, the petition under Order 9 Rule 13 CPC filed by the petitioner at Amritsar as also execution petition filed by respondent-husband in petition under Section 9 of the Hindu Marriage Act, 1955 pending at Amritsar are transferred to Faridkot. 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