

T.A. No. 171 of 2014
Date of Decision : February 5th, 2015

Sonia Petitioner

Versus

Krishan Kumar Respondent

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

Present Mr. R.K.Narang, Advocate,
for the petitioner.

Mr. Bimal Maini, Advocate,
for the respondent.

Dr. BHARAT BHUSHAN PARSOON, J. [Oral]

Reply on behalf of the respondent, filed today in the Court is taken on record.

Counsel for the wife, petitioner herein, seeks transfer of petition under Section 13 of the Hindu Marriage Act, 1955 (for short, the Act) filed by the husband, respondent herein, at Mohali as the petitioner-wife is residing at her parental home in Fatehabad. It is claimed that distance between two cities is approximately 250 Kms and it is very difficult for the petitioner-wife to manage and pursue the proceedings competently and effectively in the petition filed under Section 13 of the Act at Mohali by travelling from Fatehabad to attend the dates of hearing in the said petition and she being unemployed and there being no competent male member in her family to accompany her to Mohali on each and every date of hearing, she will have to face great hardship. Moreover, she is living with her father, who himself is financially not sound and is a poor person.

It is also urged that the petitioner-wife has also filed a petition under Section 125 Cr.P.C. seeking maintenance, which is pending adjudication at Fatehabad.

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

Sequelly, the petition [Annexure P/1] under Section 13 of the Act pending before Additional District Judge, Mohali is transferred to the Court of District Judge, Fatehabad who may retain the same or transfer to any other Court of competent jurisdiction. Both the concerned Courts to comply.

Disposed of accordingly.

Copy Dasti on usual charges.

(Dr. BHARAT BHUSHAN PARSOON)
JUDGE

February 5th, 2015
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