

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

TA No.181 of 2014

Date of decision: March 19, 2015.

Babita Tanwar

... **Petitioner**

v.

Mahesh Kumar

... **Respondent**

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

Present: Shri Sunil Kumar, Advocate for
Shri Vivek Goyal, Advocate, for the petitioner.
Shri Shubhankar Baweja, for the respondent.

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

Counsel for the respondent states that the matter has been settled whereas Counsel for the petitioner has denied the same.

Opportunity to file reply is declined.

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 Panchkula to Bhiwani.

It is also urged that the respondent-husband is also facing proceedings under Section 125 Cr.P.C. as also inter-alia under Section 498-A IPC at Bhiwani. Besides this, it is very difficult for her to travel 250 kilometers from Bhiwani to Panchkula on each and every date of hearing along with her minor child who is suffering from kidney related disease and needs constant check-up at the AIIMS, New Delhi.

In view of the submissions made by Counsel for the parties as also the circumstances explained by them, the request is allowed.

Sequelly, the petition under Section 9 of the Hindu Marriage Act, 1955 pending before District Judge, Panchkula is transferred to District Judge (Family Court), Bhiwani. Both the concerned District Judges to comply.

Parties to appear before the transferee court on 23.4.2015.

The petition stands allowed.

Copy dasti on usual charges.

March 19, 2015.

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[Dr. Bharat Bhushan Parsoon]
Judge