

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

TA No.197 of 2014.
Decided on:-16.2.2015.

Raveena Baby.

.....Petitioner.

Versus

Babbi Khan.

.....Respondent.

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

Present:- Ms. Narender Kaur, Advocate
for the petitioner.

None for the respondent.

Dr. Bharat Bhushan Parsoon, J (Oral)

Counsel for the wife, petitioner herein, seeks transfer of petition for seeking restitution of conjugal rights under Muslim Law filed by the husband, respondent herein, from Phool, District Bathinda to Ludhiana as the petitioner is residing with her parents and three minor daughters at village Jodhan, District Ludhiana, which is approximately 140 Kms. away from Phool.

2. It is also urged that it is very difficult for the petitioner to attend the court at Phool on each and every date of hearing as she has the responsibility to look after three minor daughters.

3. Perusal of the paper book reveals that there was no representation on behalf of the respondent despite service on the last date of hearing i.e. 15.7.2014. Similar is the position even today. He is, thus, proceeded against ex-parte.

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

5. Sequelly, the petition for seeking restitution of conjugal rights under Muslim Law pending before Additional Civil Judge (Senior Division), Phool, District Bathinda is transferred to District Judge, Ludhiana, who may further transfer the same to the court of competent jurisdiction under him. Both the concerned District Judges to comply.

6. Disposed of accordingly.

7. Copy Dasti on usual charges.

(Dr. Bharat Bhushan Parsoon)
Judge

February 16, 2015

'Yag Dutt'