

T.A. No. 294 of 2014 [O&M]
Date of Decision : February 5th, 2015

Ritika Petitioner

Versus

Lakhwinder Singh Respondent

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

Present Mr. G.S.Duhan, Advocate,
for the petitioner.

Mr. Arvinder Arora, Advocate,
for the respondent.

Dr. BHARAT BHUSHAN PARSOON, J. [Oral]

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 Ambala as the petitioner-wife is residing at her parental home in Village Fatehpur Pundari, Mohalla Farheri Wala, District Kaithal. It is claimed that distance between two cities is approximately 100 Kms and there being no competent male member in her family to accompany her, 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.

It is also urged that the petitioner-wife has also filed a petition under Section 125 Cr.P.C. and a Complaint under Section 406, 354, 354-A and 498-A read with Section 34 IPC against the respondent-husband, which are pending adjudication at Kaithal. Besides this, she has a breast-fed child.

..

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 under Section 13 of the Act pending before District Judge [Family Court], Ambala is transferred to the Court of District Judge, Kaithal 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
som