

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

T.A. No.411 of 2014

Date of Decision.31.03.2015

Kashmir Kaur wife of Baljinder Singh

.....Petitioner

Versus

Baljinder Singh

.....Respondent

Present: Mr. Sukhwinder Singh Chatrath, Advocate
for the petitioner.

Mr. Manpreet Singh, Advocate
for the respondent.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

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K. KANNAN J. (ORAL)

1. The transfer application is sought by the wife on the ground that she has a small child and it is difficult for her to transport herself at every time from Jalandhar where she is residing to Fatehgarh Sahib the place where the case is instituted. Matrimonial case is instituted by the husband at place which is about 150 kms away whereas the husband contends that it is not 150 kms away but it is only 130 kms. The counsel appearing for the respondent would rely on a decision of the Supreme Court that the inconvenience of the parties cannot be only ground for transfer in Anindita Das Vs. Srijit Das in Transfer Petition (Civil) No.191 of 2005 dated 29.08.2005. In that case the Supreme Court was considering the case for transfer made by the wife from a place in Uttar Pradesh to Delhi by providing to her the 2nd class AC train fare and three

star expenses for stay. The counsel would say that the petitioner's wife is a Head Constable while the husband is in a lower rank.

2. I will not go into the issue of means but I will find the inconvenience pleaded by the wife of being to take care of a small child and to go to another place which is far away as good enough for consideration of transfer of the case. The transfer application is allowed and the proceedings which are now pending in the District Court at Fatehgarh Sahib are ordered to be withdrawn and transferred to the Family Court at Jalandhar.

3. For appearance of the parties on Family Court Jalandhar on 01.05.2015.

(K. KANNAN)
JUDGE

March 31, 2015
Pankaj*