

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

TA-524 of 2014

Date of Decision : 28.4.2015

Smt.Pinki

.....Petitioner

Versus

Suresh Kumar

.....Respondent

CORAM:- HON'BLE MR. JUSTICE GURMIT RAM

Present: Mr. S.K. Verma, Advocate
for the petitioner.

GURMIT RAM, J.

This petition under Section 24 read with Section 151 CPC has been filed by the petitioner Smt. Pinki for transfer of the case titled as Suresh Kumar Versus Smt. Pinki filed by the respondent under Section 9 of the Hindu Marriage Act, 1955 (Annexure A-3) from the Court of learned Additional Civil Judge (Sr. Divn.)-cum- Family Court, Fatehabad to District Court, Hisar.

2. Notice of the petition was issued to the respondent, who did not appear despite service.

3. Counsel for the petitioner has been heard. He has contended that the petitioner is an unemployed lady having no source of income. She is unable to afford the travelling and other expenses for attending the court case at Fatehabad. Two cases are already pending between the parties at Hisar. The distance between Fatehabad to Hisar is around 50 kms.. Further he has also cited an authority titled as **Milli**

Versus Mukesh Kumar, 2005(4) R.C.R. (Civil) 422, wherein it has been held that convenience of wife has to be given paramount consideration.

4. Then as above-said, in this case respondent has also not turned up to contest this petition despite his service.

5. In the light of the above discussion, this petition stands accepted and disposed of accordingly. Petition under Section 9 of Hindu Marriage Act titled Suresh Kumar Versus Smt. Pinki (Annexure A-3) which is now pending in the Court of learned Additional Civil Judge (Sr. Divn.)-cum- Family Court, Fatehabad is ordered to be transferred from Fatehabad to District Courts, Hisar for its disposal in accordance with law. The petitioner is directed to appear before the learned District Judge, Hisar on 10.5.2015 at 10:00 A.M., positively.

28.4.2015
Brij

(GURMIT RAM)
JUDGE