

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

TA No.542 of 2014

Date of Decision: April 21, 2015

Nishchint Sood

...Applicant

Versus

Basant Kumar Sood

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.J.S.Saneta, Advocate
for the applicant.

None for the respondent.

INDERJIT SINGH, J.

Applicant Nishchint Sood has filed this application under Section 24 CPC against Basant Kumar Sood for transfer of petition titled as 'Basant Kumar Sood vs. Nishchint Sood' filed by the respondent under Section 13 of the Hindu Marriage Act pending in the Court of learned District Judge, Kurukshetra to any Court of competent jurisdiction at Panipat.

Notice of motion was issued but none appeared on behalf of the respondent despite service.

At the time of arguments, learned counsel for the applicant argued that already complaint under Sections 498-A, 406 and 506 IPC is pending in the Court of learned JMIC, Panipat and another proceedings under section 125 Cr.P.C. are also pending before

learned JMIC, Panipat. The respondent has filed petition under section 13 of the Hindu Marriage Act at Kurukshetra. Learned counsel for the applicant further argued that applicant is facing lot of inconvenience on account of institution of the case by the respondent at Kurukshetra because the applicant is a lady having two minor children and her parents are old aged and there is no one to accompany her to Kurukshetra.

Two cases are already pending before learned JMIC, Panipat and respondent is to appear at Panipat in those two cases and if the present case is transferred, the parties by making request can get the proceedings adjourned to one date. Lot of inconvenience is caused to the applicant in going to Kurukshetra leaving behind two minor children and there is no person to accompany her.

Keeping in view the facts and circumstances of the present case, I find merit in the present application and the same is allowed. Therefore, the petition filed by the respondent under Section 13 of the Hindu Marriage Act titled as 'Basant Kumar Sood vs. Nishchint Sood' pending in the Court of learned District Judge, Kurukshetra is transferred to the Court of District Judge, Panipat. The parties are directed to appear before learned District Judge, Panipat on 07.05.2015. Learned District Judge, Panipat may keep the case with him or entrust the same to some other competent Court at Panipat for disposal in accordance with law.

April 21, 2015
Vgulati

(INDERJIT SINGH)
JUDGE