

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

TA No.669 of 2014

Date of Decision: April 08, 2015

Pinkey Kataria Hooda

...Applicant

Versus

Pradeep Hooda

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.R.S.Narang, Advocate
for the applicant.

Mr.Kartar Singh Malik-I, Advocate
for the respondent.

INDERJIT SINGH, J.

Applicant Pinkey Kataria Hooda has filed this application under Section 24 CPC against Pradeep Hooda for transfer of petition under Section 13(1)(I) of the Hindu Marriage Act registered as HMA No.217 of 2014 titled as 'Pradeep Hooda vs. Pinkey and other' pending before learned District Judge, Rohtak, to District Courts, Gurgaon.

Notice of motion was issued and learned counsel for respondent appeared and contested the application.

At the time of arguments, learned counsel for the applicant argued mainly on one point that petitioner could not get the facility to engage an Advocate of her choice because the respondent's father is

a leading Advocate at Rohtak.

On the other hand, learned counsel for the respondent argued that the petitioner herself is enrolled as an Advocate at Gurgaon. There is apprehension in the mind of the respondent that he could not get the justice if the case is transferred to Gurgaon. Learned counsel for the respondent also argued that respondent has no objection if the case is transferred to Jhajjar i.e. in between Rohtak and Gurgaon.

Learned counsel for the applicant stated that applicant has been employed in a private company and not practising as an Advocate.

After hearing learned counsel for the parties and after going through the record, I find that the only grievance of the applicant as argued is that respondent's father is practising as an Advocate at Rohtak and applicant could not engage the Advocate of her choice. The grievance can be redressed if the case is transferred to Jhajjar, which is in between Rohtak and Gurgaon, for which respondent has no objection. Learned counsel for the applicant has not raised any objection that there is any problem if the case is transferred to Jhajjar. Moreover, the applicant has herself enrolled as Advocate and the same grievance is of the respondent that there will be difficulty for him as there is apprehension that he may not get the justice.

Keeping in view the facts and circumstances, I find it a fit case to transfer the petition under Section 13(1)(I) of the Hindu Marriage Act to the District Judge, Jhajjar. Therefore, the application

is accepted accordingly. HMA No.217 of 2014 titled as 'Pradeep Hooda vs. Pinkey and other' pending before learned District Judge, Rohtak is transferred to District Judge, Jhajjar. The parties are directed to appear before learned District Judge, Jhajjar on 30.04.2015. Learned District Judge, Jhajjar may keep the case with him or entrust the same to some other competent Court at Jhajjar.

April 08, 2015
Vgulati

(INDERJIT SINGH)
JUDGE