

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

TA-704-2014 (O&M)
Date of Decision: July 9, 2015

Reena Devi

...Petitioner

Versus

Ramesh Kumar

...Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr. Vikram Sheoran, Advocate,
for the petitioner.

Mr. Om Parkash, Advocate,
for the respondent.

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?*

NARESH KUMAR SANGHI, J (Oral)

Present petition, under Section 24 of the Code of Civil Procedure, 1908, has been filed with a prayer to transfer the petition, titled as "Ramesh v. Reena Devi", filed by the respondent-Ramesh Kumar under Section 13 of the Hindu Marriage Act, 1955, from the Court of learned District Judge, Family Court, Gurgaon, to a Court of competent jurisdiction at Fatehabad.

Learned counsel for the petitioner submits that due to harsh behaviour of the respondent-husband it was not possible for the petitioner-wife to live with him. She alongwith her minor

children, was forced to leave the matrimonial house and, as such, she had to take shelter at her parental house at Fatehabad. The minor children are studying at Fatehabad. He further submits that the divorce petition filed by the respondent-husband in the Court of learned District Judge, Family Court, Gurgaon, be transferred to a Court of competent jurisdiction at Fatehabad.

Learned counsel for the respondent-husband submits that at the hands of the petitioner-wife and her family members, the respondent-husband has threat to his life, therefore, it would not be convenient for the respondent-husband to visit Fatehabad to defend his case on each and every date of hearing.

During course of arguments, learned counsel for the parties after having instructions from their respective clients, who are also present in the Court, have agreed that the petition titled as “Ramesh v. Reena Devi” (supra) be transferred to the competent Court of jurisdiction at Sessions Division, Rohtak.

After hearing learned counsel for the parties, this Court is of the considered view that the case titled as “Ramesh v. Reena Devi”, pending adjudication before learned District Judge, Family Court, Gurgaon, be transferred to the Board of learned District Judge, Rohtak, for trial in accordance with law. Learned District Judge, Rohtak, may retain the case on his own Board or assign the

same to any other Court of competent jurisdiction within Sessions Division, Rohtak.

Learned District Judge, Family Court, Gurgaon, shall remit the complete record of the case titled as “Ramesh v. Reena Devi” to the office of learned District and Sessions Judge, Rohtak, immediately.

The parties to the *lis* are directed to appear before learned District Judge, Rohtak, on 11.8.2015, at 10:00 a.m., for further proceedings.

The present petition stands disposed of.

July 9, 2015
Pkapoor

(NARESH KUMAR SANGHI)
JUDGE