

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

TA No.713 of 2014

Date of decision: January 15, 2015.

Paramjeet Kaur

... **Petitioner**

v.

Gurdayal Singh

... **Respondent**

CORAM: **HON'BLE MR. JUSTICE DR. BHARAT BHUSHAN PARSOON**

Present: Shri Sunil Kumar Rana, Advocate, for the petitioner.

Dr. Bharat Bhushan Parsoon, J. (Oral):

Counsel for the petitioner seeks transfer of the petition under Section 9 of the Hindu Marriage Act, 1955 (in short the Act) filed by the respondent-husband for restitution of conjugal rights from Jagadhari to Karnal. It is averred that the respondent-husband is also facing FIR inter-alia under Section 498-A IPC as also proceedings under Section 12 of the Protection of Women from Domestic Violence Act, 2005 but this petition under Section 9 of the Act has been preferred by him at Jagadhari merely to harass, humiliate and dwarf her in her stature.

No notice is being issued to the respondent in order to obviate delay, more so when no prejudice is likely to be caused to the respondent in view of the nature of order which this Court proposes to pass.

In view of the circumstances explained in the petition and particularly when the husband is already facing a criminal complaint as also proceedings under Section 12 of the Protection of Women from Domestic Violence Act, 2005 at Karnal, the petition under Section 9 of the Hindu Marriage Act, 1955 is ordered to be transferred from Jagadhari to the court of competent jurisdiction at Karnal. Compliance be made by the District & Sessions Judge, Yamuna Nagar.

The petition stands disposed of.

[Dr. Bharat Bhushan Parsoon]
Judge

January 15, 2015.