

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

**Crl. Misc. No. M-13777 of 2016(O&M)
Date of decision : 17th October, 2016**

Ravi Khurana

..... Petitioner

versus

Himani and others

... Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Sandeep Vermani, Advocate
for the petitioner.

--

JAISHREE THAKUR, J.

Mr. Manish Soni, Advocate, has put in appearance on behalf of contesting respondent No.1 and filed his vakalatnama and Mr. Bhupinder Kumar, Advocate, has put in appearance on behalf of respondents No.2 to 6 and filed his memo of appearance, which are taken on record.

Service is complete.

The instant petition has been filed by petitioner-husband seeking transfer of complaint under Section 12 of the Protection of Women from Domestic Violence Act, 2005 filed by respondent No.1- wife at Faridabad, to a court of competent jurisdiction at Gurgaon, Haryana.

It is contended that a divorce petition was filed by

petitioner-husband at Rohtak and respondent No.1-wife thereafter filed a transfer application bearing TA No.5 of 2016, seeking that the divorce petition filed under Section 13 of Hindu Marriage Act, 1955, for dissolution of marriage, should be transferred from Rohtak to Faridabad. This court after hearing counsel for the parties and without going into the merits of the case, directed that the matter should be assigned to Family Court at Gurgaon, vide order dated 27.01.2016. Similarly, a prayer is made in this petition for transfer of the complaint case titled as '**Himani Versus Ravi Khurana and others**' bearing No.Comp/68/2016 dated 03.02.2016, should also be transferred from the court of Judicial Magistrate Ist Class, Faridabad, to a court of competent jurisdiction at Gurgaon itself.

I have heard counsel for the parties and noted that both petitioner and respondent No.1 are working at Gurgaon and there is already a matter, which stands transferred from Rohtak to Gurgaon and thus, it will be easy for both the parties to pursue their matters. Therefore, without going into the merits of the case and on the no objection given by counsel for respondent No.1, on instructions received from his client, who is present in court today, the complaint filed under Section 12 of the Protection of Women from Domestic Violence Act, 2005, titled as '**Himani Versus Ravi Khurana and others**' bearing No.Comp/68/2016 dated 03.02.2016 is transferred to learned District Judge, Gurgaon, who may their in turn assign the same to the court of competent jurisdiction. Learned District Judge, Family Court at Faridabad, shall ensure that the entire record of the

case is sent to the learned District Judge, Gurgaon. The parties are directed to appear through their counsel on 27.10.2016.

In the meantime, an additional argument has been raised by counsel for respondent No.1-wife that since both the parties are working in Gurgaon, any future litigation in case filed regarding matrimonial dispute, should also be filed at Gurgaon itself. To this proposition, the counsel for the petitioner has no objection and thus, ordered accordingly.

The petition stands disposed.

October 17, 2016

vijay saini

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned

Yes

Whether reportable

Yes/No