

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

TA No. 15 of 2016(O&M)
Date of decision: 03.02.2016

Sonu Rani

....Applicant

Versus

Shalinder Kumar

....Respondent

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH DHALIWAL

- 1) Whether Reporters of the 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 ?

Present: - Mr. Daman Jeet Bhoriwal, Advocate, for the applicant.
None for the respondent.

PARAMJEET SINGH DHALIWAL, J. (ORAL)

Instant petition under Section 24 of the Code of Civil Procedure has been filed seeking transfer of petition under Section 13 of the Hindu Marriage Act (for short 'the Act') titled '**Shalinder Kumar Vs. Sonu Rani**', filed by respondent-husband from the Court at Faridkot to the Court of competent jurisdiction at Bathinda.

I have heard learned counsel for the applicant and perused the record.

Learned counsel for the applicant contended that respondent has filed a petition under Section 13 of the Act, which is pending in the Court of learned District Judge, Faridkot. Now applicant is residing with her parents at Bathinda. It is further contended that one petition under Section 9 of the Act has already been transferred from Faridkot to

Bathinda by this Court vide order dated 11.05.2015 passed in TA No. 472 of 2014 (Annexure P-2). Counsel further contended that petition under Section 125 Cr.P.C. against the respondent-husband is also pending at Bathinda. Learned counsel for the applicant relied upon the judgment of Hon'ble Supreme Court in ***Deepti Bhandari v. Nitin Bhandari and another***, 2012(1)R.C.R.(Civil) 506 and contended that it would be easier for the respondent-husband to attend the proceedings in Bathinda than for the applicant to attend the same in Ferozepur. Therefore, the case under Section 9 of the Act may be transferred to Bathinda.

I have considered the contentions raised by learned counsel for the applicant.

In view of the submissions made by learned counsel for the applicant, for the circumstances mentioned in the petition and keeping in view the decision of the Hon'ble Supreme Court in ***Deepti Bhandari*** (supra), application is allowed. Petition under Section 13 of the Act pending in the Court of learned District Judge, Faridkot is ordered to be transferred to learned District Judge, Bathinda, who may assign the same to the Court of competent jurisdiction there. Learned District Judge, Faridkot, shall ensure that entire record of the case is sent to learned District Judge, Bathinda. The parties are directed to appear before the learned District Judge, Bathinda on 23.02.2016.

Disposed of.

February 03, 2016
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(Paramjeet Singh Dhaliwal)
Judge