

TA-5-2016

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

TA-5-2016 (O & M)

Date of Decision: 27.01.2016

Smt. Himani

... Applicant (s)

Versus

Ravi Khurana

... Respondent(s)

**CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH
DHALIWAL**

Present: Mr. Mohammad Arshad, Advocate,
for the applicant.

Mr. Deepak Girotra, Advocate,
for the respondent.

Paramjeet Singh Dhaliwal, J. (Oral)

Instant application under Section 24 of the Code of Civil Procedure has been filed seeking transfer of petition titled as 'Ravi vs. Himani', under Section 13 of the Hindu Marriage Act, 1955 (for short, 'the Act'), filed by the respondent-husband for dissolution of marriage, from Rohtak to Faridabad.

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

Learned counsel for the applicant contended that respondent has filed a petition under Section 13 of the Act pending in the Court of learned District Judge, Rohtak. The applicant is residing with her old parents and minor child at Ballabgarh, which is approximately 130 kms away from Rohtak and it is very difficult for her to attend the court

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proceedings on every date at Rohtak. At this stage, learned counsel for the applicant contends that the petition filed under Section 13 of the Act may be transferred to Gurgaon as the applicant is working at Gurgaon.

Learned counsel for the respondent, after seeking instructions from the respondent, states that he has no objection if the case filed by respondent-husband under Section 13 of the Act is transferred to Gurgaon as the respondent is also working at Gurgaon.

Without going into the merits of the case and in view of law laid down in *Deepti Bhandari vs. Nitin Bhandari and another 2012(1) R.C.R. (Civil) 506*, application is allowed. Petition under Section 13 of the Act pending in the Court of learned District Judge, Family Court, Rohtak is ordered to be transferred to learned District Judge, Gurgaon, who may assign the same to the Court of competent jurisdiction there. Learned District Judge, Family Court, Rohtak shall ensure that entire record of the case is sent to learned District Judge, Gurgaon. The parties through their counsel are directed to appear before the learned District Judge, Gurgaon on 17.02.2016.

Disposed of.

27.01.2016

parveen kumar

**(Paramjeet Singh Dhaliwal)
Judge**