

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

TA-513-2016 (O & M)

Date of decision: 17.11.2016

Hardeep Rani @ Aarti @ Sonia

....Applicant(s)

V/s

Vinod Kumar Sharma

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. C.S. Sharma, Advocate, for the applicant.

Mr. Jai Bhagwan, Advocate, for the respondent.

Rajan Gupta, J. (Oral)

Present petition has been filed under Section 24 of the Code of Civil Procedure (for short 'the Code') for transfer of proceedings initiated by the respondent-husband under Section 13 of the Hindu Marriage Act, 1955 (for short 'the Act') from Amritsar to Jalandhar.

There is serious dispute between the parties about their places of residence. While applicant claims that she is living at Jalandhar, stand of the respondent is that she is a resident of Amritsar.

Disputed question of fact cannot be resolved under Section 24 of the Code. It has also been stated that the applicant was threatened when she appeared before the court at Amritsar.

This court, however, feels that proceedings need to be transferred to another court where same can be disposed of expeditiously.

Under the facts and circumstances of the case, this court directs that proceedings pending at Amritsar under Section 13 of the Act be transferred to a court of co-ordinate jurisdiction at Kapurthala.

(RAJAN GUPTA)
JUDGE

November 17, 2016
sukhpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No