

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

Transfer Application No.665 of 2016

Date of decision: November 30, 2016

Neelam

...Petitioner

Versus

Surender

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. D.K. Tuteja, Advocate for the applicant.

Mr. Punit Malik, Advocate for the respondent.

Rajan Gupta, J.(oral)

This is an application under Section 24 of the Code of Civil Procedure for transfer of proceedings under section 13 of the Hindu Marriage Act, from the court at Hisar to the court of coordinate jurisdiction at Rohtak. It has been urged by counsel for the applicant that respondent is a resident of Delhi, while applicant is posted in Rohtak. It would, thus, be convenient to both the parties that proceedings under section 13 of the Act are transferred to the court at Rohtak.

Prayer has been opposed by counsel for the respondent. According to him, applicant is a constable in Haryana Police and her job is transferable. Besides, she is facing no financial hardships.

I have considered rival contentions of the parties. Marriage was solemnized between them in the year 2004. There is a female child about ten years old from the wedlock. Husband has filed a divorce petition at Hisar. The trial of the case has made some headway. It is fixed for

evidence of the respondent at present. Proceedings being civil in nature, applicant would not be required to personally appear before the court except on one or two dates. It appears that applicant has already engaged a counsel to defend her. She being a constable in Haryana Police, there is no case of financial hardship. Under the circumstances, no ground is made out for transfer of proceedings from Hisar to Rohtak.

Dismissed.

(RAJAN GUPTA)
JUDGE

November 30, 2016
'Rajpal'

Whether speaking / reasoned

Yes / No

Whether Reportable:

Yes / No