

TA No.227 of 2015

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

TA No.227 of 2015
Date of decision: 15.01.2016

Nisha @ Bakhshish Kaur

....Petitioner

Versus

Bablu

....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. Vishal Aggarwal, Advocate, for the petitioner.
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, 1955 (for short 'the Act') for dissolution of marriage filed by respondent-husband, from the Court at SBS Nagar to the Court of competent jurisdiction at Ludhiana.

Learned counsel for the petitioner contended that respondent has filed a petition under Section 13 of the Act at SBS Nagar, which is pending in the Court of learned District Judge, SBS Nagar. Now petitioner is residing with her parents along with her minor children in Ludhiana. It is further contended that proceedings under Section 125 Cr.P.C. are also pending at Ludhiana and respondent has not paid any

TA No.227 of 2015

amount for the last one year in spite of maintenance awarded under Section 125 Cr.P.C.

Despite service, none has appeared on behalf of the respondent to oppose this petition.

In view of the submissions made by learned counsel for the petitioner and judgment of Hon'ble Supreme Court in ***Deepti Bhandari v. Nitin Bhandari and another***, 2012(1)R.C.R.(Civil) 506, it would be easier for the respondent-husband to attend the proceedings in Ludhiana than for the petitioner to attend the same in SBS Nagar. Therefore, petition under Section 13 of the Act pending in the Court of learned District Judge, SBS Nagar, is ordered to be transferred to learned District Judge, Ludhiana, who may assign the same to the Court of competent jurisdiction there. Learned District Judge, SBS Nagar, shall ensure that entire record of the case is sent to learned District Judge, Ludhiana. Concerned Court shall inform the counsel for the respondent regarding transfer of the case. The parties are directed to appear before the learned District Judge, Ludhiana on 17.02.2016.

Disposed of.

(Paramjeet Singh Dhaliwal)
Judge

January 15, 2016
R.S.