

TA No.526 of 2015

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

TA No.526 of 2015

Date of decision: 14.01.2016

Monika

....Petitioner

Versus

Ved Parkash @ Sonu

....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. Sandeep Jasuja, 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 9 of the Hindu Marriage Act, 1955 (for short 'the Act') for decree of restitution of conjugal rights filed by respondent-husband, from the Court at Faridabad to the Court of competent jurisdiction at Gurgaon.

Learned counsel for the petitioner contended that respondent has filed a petition under Section 9 of the Act at Faridabad, which is pending in the Court of learned District Judge, Faridabad. Now petitioner is residing with her parents along with her minor Child in District Gurgaon. It is further contended that criminal proceedings are also pending against the respondent at Gurgaon.

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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 Gurgaon than for the petitioner to attend the same in Faridabad. Therefore, petition under Section 9 of the Act pending in the Court of learned District, Faridabad, 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, Faridabad, shall ensure that entire record of the case is sent to learned District Judge, Gurgaon. The parties are directed to appear before the learned District Judge, Gurgaon on 16.02.2016.

Disposed of.

(Paramjeet Singh Dhaliwal)
Judge

January 14, 2016
R.S.