

TA No.541 of 2015

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

TA No.541 of 2015 (O&M)  
Date of decision: 28.01.2016

Manisha

....Applicant

Versus

Lalit

....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. Chanderhas Yadav, Advocate, for the applicant.  
Mr. Mohit Nehra, Advocate, 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(1)(ia) of the Hindu Marriage Act, 1955 (for short 'the Act') filed by respondent-husband from the Court at Bhiwani to the Court of competent jurisdiction at Rohtak.

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(1)(ia) of the Act at Bhiwani, which is pending in the Court of learned District Judge (Family Court), Bhiwani. Now applicant is residing with her parents at Rohtak. It is further contended that petition Sections 12, 17, 18, 19, 20, 21 and 22 of the Protection of Women from Domestic Violence Act, 2005 against the

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respondent-husband is pending at Rohtak. Learned counsel for the applicant relied upon the judgment of Hon'ble Supreme Court in ***Deepti Bhandari v. Nitin Bhandari and another***, 2012(1)R.C.R.(Civil) 506 and contended that it would be easier for the respondent-husband to attend the proceedings in Rohtak than for the applicant to attend the same in Bhiwani. Therefore, the case under Section 13(1)(ia) of the Act may be transferred to Rohtak.

I have considered the contentions raised by learned counsel for the parties.

In view of the submissions made by learned counsel for the applicant, for the circumstances mentioned in the application and keeping in view the decision of the Hon'ble Supreme Court in ***Deepti Bhandari*** (supra), application is allowed. Petition under Section 13(1) (ia) of the Act pending in the Court of learned District Judge (Family Court), Bhiwani, is ordered to be transferred to learned District Judge, Rohtak, who may assign the same to the Court of competent jurisdiction there. Learned District Judge, Bhiwani, shall ensure that entire record of the case is sent to learned District Judge, Rohtak. The parties are directed to appear before the learned District Judge, Rohtak on 17.2.2016.

Disposed of.

(Paramjeet Singh Dhaliwal)  
Judge

January 28, 2016  
R.S.