

In the High Court of Punjab and Haryana at Chandigarh

**T.A. No. 667 of 2015
Date of Decision: March 02, 2016**

Bharti Goyal

... Applicant

Versus

Robin Singla

... Respondent

**CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH
DHALIWAL**

Present: Mr. Pankaj Bali, Advocate,
for the applicant.

Mr. Sanjay Verma, Advocate,
for the respondent.

Paramjeet Singh Dhaliwal, J. (Oral)

Instant application has been filed under Section 24 of the Code of Civil Procedure for transfer of petition, under Section 13(I)(i-a) of the Hindu Marriage Act (hereinafter referred to as the “Act”), filed by the respondent titled as “Robin Singla vs. Bharti Singla”, pending in the Court of learned District Judge, Family Court, Gurgaon to the court of competent jurisdiction at Karnal.

Learned counsel for the applicant contends that respondent-husband filed a petition under Section 13(I)(i-a) of the Act for dissolution of marriage, which is pending before the learned District Judge, Family Court, Gurgaon. The applicant has no source of income. Learned counsel further contends that the applicant is residing at her parental house situated in District Karnal and it is not convenient for her to travel from Karnal to

Gurgaon to defend proceedings instituted by the husband. Petition under Section 125 of the Code of Criminal Procedure, filed by the applicant, is pending against the respondent at Karnal. Learned counsel for the applicant relied upon a judgment of Hon'ble Supreme Court in **Deepti Bhandari vs. 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 Karnal, than for the applicant to attend the same in Gurgaon. Therefore, petition under Section 13 of the Act may be transferred to Karnal.

Per contra, learned counsel for the respondent vehemently opposes the contentions raised by learned counsel for the applicant.

In view of the submissions made by learned counsel for the applicant, the circumstances mentioned in the application, pendency of other proceedings between the parties at Karnal and keeping in view the decision of Hon'ble Supreme Court in **Deepti Bhandari (supra)**, this Court is of the view that it would be in the interest of the respondent as well that all proceedings are tried at one place as he will not be required to appear at different places on different dates. Accordingly, petition under Section 13(I) (i-a) of the Act filed by the respondent titled "Robin Singla vs. Bharti Singla", pending in the Court of learned District Judge, Family Court, Gurgaon, is withdrawn and ordered to be transferred to learned District Judge, Karnal, who may assign the same to the Court of competent jurisdiction there. Learned District Judge, Family Court, Gurgaon shall ensure that entire record of the case is sent to learned District Judge, Karnal.

Parties are directed to appear before the Court of learned District Judge, Karnal on 21.03.2016. Parties will be at liberty to make a request to the concerned courts for fixing both the afore-mentioned cases on

one date. If such a request is made, the Courts shall make an endeavour to fix same date in both the aforementioned cases.

Disposed of.

March 02, 2016
vkd

[Paramjeet Singh Dhaliwal]
Judge