

TA No.742-2015

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

TA No.742-2015

Date of decision: 28.01.2016

Anu Rattan

....Applicant

Versus

Robin Verma

....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. Amaninder Preet, Advocate,
for the applicant.

None for the respondent.

PARAMJEET SINGH DHALIWAL, J. (ORAL)

Instant application under Section 24 of the Code of Civil Procedure has been filed seeking transfer of petition titled 'Robin Verma vs. Anu Rattan', under Section 13 of the Hindu Marriage Act, 1955 (for short 'the Act') for dissolution of marriage between the parties filed by respondent-husband, from Sangrur to Barnala.

I have heard learned counsel for the applicant and perused the record.

Learned counsel for the applicant contends that the respondent has filed a petition under Section 13 of the Act which is pending in the Court of learned Additional District Judge, Sangrur. Now the applicant along with her two minors is residing with her old parents and is unable

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to attend the proceedings at Sangrur, which is far away from Barnala. It is also contended that petitions under Sections 125 Cr.P.C. and Guardians and Wards Act are pending at Barnala between the parties. He further relies upon the judgment of Hon'ble Supreme Court in ***Deepti Bhandari v. Nitin Bhandari and another***, 2012(1)R.C.R.(Civil) 506 and contends that it would be easier for the respondent-husband to attend the proceedings in Barnala than for the applicant to attend the same in Sangrur. Therefore, the case under Section 13 of the Act may be transferred to Barnala.

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

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

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 of the Act pending in the Court of learned Additional District Judge, Sangrur is ordered to be transferred to learned District Judge, Barnala, who may assign the same to the Court of competent jurisdiction there. Learned Additional District Judge, Sangrur shall ensure that entire record of the case is sent to learned District Judge, Barnala. Concerned Court shall inform the counsel for the respondent regarding transfer of the case. The parties are directed to appear before the learned District

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Judge, Barnala on 17.02.2016.

Disposed of.

28.01.2016

parveen kumar

(Paramjeet Singh Dhaliwal)
Judge