

**TA No.773-2015 and
TA No.775-2015**

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

Date of decision: 28.01.2016

1. TA-773-2015

Preeti

....Applicant

Versus

Krishan Singh

....Respondent

AND

2. TA No.775-2015

Raviti

....Applicant

Versus

Charan Singh

....Respondent

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH DHALIWAL

Present: - Mr. Rahul Sharma, Advocate for
Mr. Ashok Giri, Advocate,
for the applicants in both the applications.

None for the respondents.

PARAMJEET SINGH DHALIWAL, J. (ORAL)

This order shall dispose of TA-773-2015 and TA-775-2015 as the applicants are real sisters who married with real brothers i.e. respondents.

TA-773-2015 has been filed under Section 24 of the Code of Civil Procedure seeking transfer of petition titled 'Krishan Singh vs. Priti', filed by the respondent-husband, under Section 9 of the Hindu

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Marriage Act, 1955 (for short 'the Act') for restitution of conjugal rights, from Jind to Gannaur, District Sonapat.

TA-775-2015 has been filed under Section 24 of the Code of Civil Procedure seeking transfer of petition titled 'Charan Singh vs. Raviti', under Section 9 of the Act for restitution of conjugal rights, filed by the respondent-husband, from Jind to Gannaur, District Sonapat.

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

Learned counsel for the applicants contends that the respondents have filed petitions under Section 9 of the Act which are pending in the Court of learned Civil Judge (Sr. Divn.), Jind. Now the applicants are residing with her old parents and are unable to attend the proceedings at Jind, which is far away from Gannaur. It is also contended that separate applications filed by the applicants under Section 12 of the Protection of Women from Domestic Violence Act are pending against the respondents and their family members at Gannaur. 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 respondents to attend the proceedings at Gannaur than for the applicants to attend the same at Jind. Therefore, the petitions under Section 9 of the Act may be transferred to Gannaur.

I have considered the contentions raised by learned counsel for

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the applicants.

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

In view of the submissions made by learned counsel for the applicants, for the circumstances mentioned in the applications and keeping in view the decision of the Hon'ble Supreme Court in ***Deepti Bhandari*** (supra), applications are allowed. Petitions under Section 9 of the Act pending in the Court of learned Civil Judge (Sr. Divn.), Jind are ordered to be transferred to learned District Judge, Sonapat, who may assign the said petitions to the Court of learned Addl. Civil Judge (Sr. Divn.), Gannaur where the proceedings under Section 12 of the Protection of Women from Domestic Violence Act, 2005 are pending between the parties. Learned Civil Judge (Sr. Divn.), Jind shall ensure that entire record of the case is sent to learned District Judge, Sonapat. Concerned Court shall inform the counsel for the respondents regarding transfer of the cases. The parties are directed to appear before the learned Addl. Civil Judge (Sr. Divn.), Gannaur on 17.02.2016.

Disposed of.

28.01.2016
parveen kumar

(Paramjeet Singh Dhaliwal)
Judge