

**Sr. No. 231
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**TA No. 422 of 2014
Date of decision 11.01.2016**

Archna

...Applicant

Vs.

Sachiny

...Respondents

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. Pankaj Bali, Advocate,
for the applicant.

Mr. Rajesh Khandelwal, Advocate,
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 'Archna Vs. Sachin' 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 Hisar to Karnal.

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 of the Act at Hisar, which is pending in the Court of learned District Judge, Family Court,

Hisar. Now applicant is residing with her old parents at Karnal, which is approximately 150 kms away from Hisar. Learned counsel for the applicant relied upon the 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 Hisar. Therefore, the case under Section 13 of the Act may be transferred to Karnal.

On the other hand, learned counsel for the respondent contended that transfer of petition to Karnal would cause inconvenience to the respondent, therefore, it is not a fit case for transfer of the petition under Section 13 of the Act from Hisar to Karnal.

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

In view of the submissions made by learned counsel for the applicant, the circumstances mentioned in the application and keeping in view the decision of the Hon'ble Supreme Court in ***Deepti Bhandari*** (supra), request of the petitioner is allowed. Petition under Section 13 of the Act pending in the Court of learned District Judge, Family Court, Hisar is ordered to be transferred to learned District Judge, Karnal, who may assign the same to the Court of competent jurisdiction there. Parties through their counsel are directed to appear

before the learned District Judge, Karnal on 15.02.2016. Learned District Judge, Hisar, shall ensure that entire record of the case is sent to learned District Judge, Karnal well before the date fixed.

Registry is directed to send copy of this order to the learned District Judge, Karnal through fax.

Disposed of.

11.01.2016

vandana

**(PARAMJEET SINGH DHALIWAL)
JUDGE**