

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

TA No. 649 of 2014
Date of decision: 27.01.2016

Bindu Rohilla

....Applicant

Versus

Ramesh

....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. V.D. Sharma, Advocate for the applicant.

None 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 titled 'Ramesh Vs. Bindu Rohilla' under Section 9 of the Hindu Marriage Act, (for short 'the Act') for dissolution of marriage between the parties filed by respondent-husband, from Gurgaon to Jind.

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

Learned counsel for the applicant contended that respondent has filed a petition under Section 9 of the Act at Gurgaon, which is pending in the Court of learned District Judge, Family Court, Gurgaon. Now petitioner is residing with

her old parents and minor daughter at Jind, which is approximately 150 kms away from Gurgaon. It is further contended that petition under Section 125 Cr.P.C. and a criminal case bearing FIR No. 768, dated 24.09.2011, under Sections 323, 498-A, 506 IPC, Police Station Jind City against the respondent-husband are pending at Jind. Learned counsel for the petitioner 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 Jind than for the petitioner to attend the same in Gurgaon. Therefore, the case under Section 9 of the Act may be transferred to Jind.

None has appeared on behalf of the respondent to oppose this petition.

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

In view of the submissions made by learned counsel for the petitioner, for the circumstances mentioned in the petition and keeping in view the decision of the Hon'ble Supreme Court in *Deepti Bhandari* (supra), petition is allowed. Petition under Section 9 of the Act pending in the Court of learned District Judge, Gurgaon is ordered to be transferred to learned District Judge, Jind, who may assign the same to the Court of competent jurisdiction there. Learned District Judge, Gurgaon, shall ensure that entire record of the case is sent to learned District Judge, Jind. Concerned Court shall inform the

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respondent regarding transfer of the case. The parties are directed to appear before the learned District Judge, Jind on 17.02.2016.

Disposed of.

January 27, 2016.
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(PARAMJEET SINGH DHALIWAL)
JUDGE