

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

**TA No.619 of 2016
Date of decision:12.1.2017**

Maniksha

...Applicant

Versus

Ishann Verma

...Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr.Kirpal Singh, Advocate for
Mr.D.D.Sharma, Advocate for the applicant.
Mr.Manav Bajaj, Advocate for the respondent.

RAMESHWAR SINGH MALIK, J. (Oral)

Applicant-wife, by way of instant application, seeks transfer of HMA No.592/2015 titled as Ishaan Verma Vs. Maniksha, from Ludhiana to Mohali.

Notice of motion was issued and the learned court below was directed to adjourn the case beyond the date fixed before this Court.

Heard learned counsel for the parties.

It has gone undisputed before this Court that applicant-wife is staying with her parents at Mohali. She has no regular source of income and respondent-husband is not paying any amount of maintenance to the applicant-wife. Distance between Mohali and Ludhiana is about 100 kilometers.

Having said that, this Court feels no hesitation to conclude that denial of transfer of the litigation from Ludhiana to Mohali would amount to denial of justice to the applicant. Further, no difficulty has been pointed out on behalf of the respondent in pursuing the litigation at Mohali.

No other argument was raised.

Considering the totality of facts and circumstances of the case noted above, coupled with the reasons aforementioned, this Court is of the considered view it is just and expedient to transfer the petition under Section 9 of the Hindu Marriage Act, filed by the respondent-husband from Ludhiana to Mohali.

Accordingly, learned District Judge, Ludhiana, is directed to send complete record of the case bearing HMA No.592/2015 titled as Ishaan Verma Vs. Maniksha to the learned District Judge, Mohali, at an early date and in any case within a period of one month from the date of receipt of a certified copy of this order.

Learned District Judge, Mohali, is also directed either to decide the case herself or assign it to the learned Court of competent jurisdiction for its early decision, in accordance with law.

With the above-said observations made and directions issued, the present transfer application stands disposed of.

12.1.2017
mks

(RAMESHWAR SINGH MALIK)
JUDGE

Whether Speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No

