

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

TA No.107 of 2017

Date of decision: 08.03.2017

Rajesh Bansal

... Applicant

Vs.

Kiran Devi

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Ashish Grover, Advocate
for the applicant.

Mr. Arnav Sood, Advocate
for the respondent.

RAMESHWAR SINGH MALIK, J. (ORAL)

Applicant-husband, by way of instant transfer application under Section 24 of the Code of Civil Procedure (for short 'CPC'), seeks transfer of an execution application bearing No.419/2015 titled as Kiran Devi Vs. Rajesh Kumar pending in the Court of learned Civil Judge (Jr. Divn.), Bathinda to the learned Court of competent jurisdiction at Barnala.

Notice of motion was issued.

Reply filed on behalf of the respondent-wife in the Court today, is taken on record and copy thereof has been supplied to learned counsel for the applicant-husband.

Heard learned counsel for the parties.

It has gone undisputed before this Court and it is also a matter of record that vide order dated 13.05.2016 passed by this Court in TA No.829 of 2015 (Kiran Devi Vs. Rajesh Kumar Bansal), divorce petition filed by the

husband was ordered to be transferred from Bathinda to Barnala. Said transfer application filed by the respondent-wife for transfer of divorce petition from Bathinda to Barnala was not opposed by the present applicant-husband. Further, since more than one litigations between these parties are pending at Barnala, applicant-husband is justified to seek transfer of the abovesaid execution application filed by the respondent-wife from Bathinda to Barnala.

In view of the above, present transfer application is allowed and the learned District Judge, Bathinda is directed to send complete record of the execution application bearing No.419/2015 titled as Kiran Devi Vs. Rajesh Kumar pending in the Court of learned Civil Judge (Jr. Divn.), Bathinda to the learned District Judge, Barnala at an early date but in any case within a period of one month from the date of receipt of certified copy of this order.

The learned District Judge, Barnala is also directed to assign the abovesaid execution application of the respondent-wife to the learned Court of competent jurisdiction at Barnala, for decision thereof, in accordance with law.

With the abovesaid observations made and directions issued, instant transfer application stands disposed of, however, with no order as to costs.

[RAMESHWAR SINGH MALIK]
JUDGE

08.03.2017
vishnu

Whether speaking/reasoned Yes/No

Whether reportable Yes/No