

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

TA No. 413 of 2017(O&M)

Date of decision: 26.7.2017

Garima

....Petitioner

VERSUS

Kunal Sethi

.....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. P.S. Thiara, Advocate for the petitioner.

Mr. Sandeep Goyat, Advocate for respondent.

REKHA MITTAL, J.(Oral)

Garima, the petitioner-wife, has prayed for transfer of divorce petition titled Kunal Sethi Vs. Garima pending in the Court of District Judge, Family Court, Hisar to a Court of competent jurisdiction at Hoshiarpur.

Counsel for the petitioner would submit that there is distance of 325 KMs between Hisar and Hoshiarpur, therefore, it is too inconvenient for the petitioner to defend the proceedings at Hisar more particularly in the circumstances that the applicant suffered brain stroke in January 2013, admitted by the respondent in the petition for divorce.

Reply filed by the respondent in the Court is taken on record.

Counsel for the respondent would submit that the respondent is a practicing Advocate at Hisar. In case the petition is transferred to a Court at Hoshiarpur, it may cause serious setback to his profession as an Advocate as he would be spending at least 3 days' time to attend a single

hearing at Hoshiarpur. It is further submitted that taking into consideration convenience and inconvenience of both the parties, the petition may be transferred to a Court of competent jurisdiction at Chandigarh.

Counsel for the petitioner has got no objection if the petition is transferred to a Court at Chandigarh.

In view of the above, petition under Section 13 of the Hindu Marriage Act, 1955, DMC/808/2016 titled Kunal Sethi Vs. Garima is withdrawn from the Court of District Judge, Family Court, Hisar and is transferred to the Court of District Judge, Family Court, Chandigarh.

The petitioner would be at liberty to file an appropriate application before the Court at Chandigarh claiming maintenance and travelling expenses etc.

Disposed of accordingly.

JULY 26, 2017

‘D. Gulati’

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no