

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

**CR No.3388 of 2016 (O&M)
Date of decision : May 17, 2018**

Mandeep Singh

..... Petitioner

Versus

Anju

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. N.P.S. Kohli, Advocate for the petitioner.

Mr. Krishan Singh, Advocate for the respondent.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (ORAL)

Heard.

Petitioner has impugned the order dated 06.05.2016 (Annexure P-1) passed by learned Addl. District Judge, Family Court, Ambala, vide which at the arguments stage, the petition filed under Section 13(i)(a) of the Hindu Marriage Act, 1955 was ordered to be returned to the petitioner for presentation before the Court at Yamuna Nagar or at Narwana, District Jind on or before 17.05.2016.

It comes out that a divorce petition was filed at Ambala Courts, in which the petition was contested. When the entire evidence was concluded. It was during arguments that the learned District Judge, Family Court, Ambala took a view that the marriage was solemnized at Yamuna Nagar and the parties last resided at Narwana, District Jind, therefore, no cause of action arose at Ambala and the petition was ordered to be returned.

I am of the view that since the evidence in the present case is already recorded and the case is at the arguments stage, therefore, it will be unjust to return the petition and start de novo trial. As such, the impugned order is modified to the extent that in place of return of the petition, the entire file is withdrawn from the Court of learned District Judge, Family Court Ambala and transferred to the Court of learned District Judge, Yamuna Nagar, for disposal, in accordance with law.

Both the parties are directed to appear before the learned District Judge, Yamuna Nagar on 10.07.2018 at 10.00 a.m.

As such, the present revision petition is disposed of.

(KULDIP SINGH)
JUDGE

May 17, 2018

sarita

Whether speaking / reasoned Yes

Whether Reportable: No