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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM-7407-CII-2018 in/and
TA No. 1045 of 2017 (O/M)
Date of decision : 20.4.2018

Kusumlata alias Babli Petitioner

Versus

Kailash Chand Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Varun Sharma, Advocate, for petitioner.

Mr. V.D. Sharma, Advocate, for applicant-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 ?
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KULDIP SINGH J. (ORAL)

CM-7407-CII-2018

Reply taken on record.

Application is disposed of.

Main case

Petitioner seeks transfer of petition titled as *Kailash Chand Versus Kusumlata alias Babli*, filed under Section 13 of Hindu Marriage Act, 1955, pending in the Court of learned Additional District Judge, Yamuna Nagar at Jagadhri, to a Court of competent jurisdiction at Chandigarh. It is stated on behalf of petitioner that petitioner is mentally sick. Earlier also, divorce petition was filed in which matter was compromised at Rs. 8,00,000/-. It was also mentioned that she is mentally sick and Rs. 3,00,000/- were paid. Therefore, it is stated that she is unable to travel to Chandigarh which is at a distance of 102 kilometers from Yamuna

TA No. 1045 of 2017 (O/M)

Nagar at Jagadhri.

On behalf of respondent, it is stated that respondent was threatened, regarding which a criminal complaint is pending at Chandigarh Courts.

I am of the view that if respondent faces any threat, he can always approach the police. Chandigarh is one of the safest place in region.

Keeping in view the mental sickness of petitioner and considering her difficulty, petition titled as *Kailash Chand Versus Kusumlata alias Babli*, filed under Section 13 of Hindu Marriage Act, 1955, pending in the Court of learned Additional District Judge, Yamuna Nagar at Jagadhri, is withdrawn from said Court and same is transferred to the Court of the learned District Judge, Chandigarh, who may retain the case with him or entrust the same to a Court of competent jurisdiction. Consequently, petition is allowed.

(KULDIP SINGH)
JUDGE

20.4.2018
sjks

Whether speaking / reasoned : Yes / No

Whether Reportable : Yes / No