

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

TA-450-2017 (O&M)
Date of decision: 04.04.2018

Lovely

.....Petitioner

versus

Rajiv Kumar

.....Respondent

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.R.K.Arya, Advocate for the petitioner
Mr.Vivek Khatri, Advocate for the respondent

1. *Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
2. *To be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

Reply not filed.

Heard.

Petitioner seeks transfer of petition bearing no.HMA/122/2017 filed under Section 13 of Hindu Marriage Act, 1955 by the respondent titled as *Sh.Rajiv Kumar vs. Smt.Lovely* pending before the Court of learned Additional District Judge, Kaithal to a Court of competent jurisdiction at District Gurdaspur.

Learned counsel for the petitioner has contended that there is a distance of 320 kms. between two places. Two cases between the parties are already pending at Gurdaspur Courts.

Learned counsel for respondent on the other hand produced authority of Apex Court in *Krishna Veni Nagam vs. Harish Nagam, 2017*

(2) *RCR (Civil) 358*, wherein guidelines in the matter of transfer of

matrimonial and other cases were laid down.

I am of the view that in this case, the said guidelines are not attracted. The interest of justice requires that all the cases pending between the parties should be decided at one place. There is a distance of 320 kms. between two places. Therefore, the present petition is required to be transferred to Gurdaspur Courts.

Hence, petition bearing no.HMA/122/2017 filed under Section 13 of Hindu Marriage Act, 1955 by the respondent titled as *Sh.Rajiv Kumar vs. Smt.Lovely* pending before the Court of learned Additional District Judge, Kaithal is withdrawn from the said Court and is transferred to learned District Judge, Gurdaspur, who may retain the same himself or entrust it to a Court of competent jurisdiction.

Present petition stands allowed accordingly.

Since the main case has been allowed, therefore, the pending CM, if any, also stands disposed of.

04.04.2018
gk

(Kuldip Singh)
Judge

Whether speaking/ reasoned:
Whether Reportable:

Yes
No