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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

TA No. 660 of 2017 (O/M)
Date of decision : 28.2.2018

Dr. Mrs. Naresh Kumari

..... Petitioner

Versus

Ajmer Singh

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

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

Mr. N.S. Bains, Advocate, for 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)

Heard.

Petitioner, who is 64 years of age and is a doctor by profession and running a maternity hospital at Rampura Phul, District Bathinda, has sought transfer of petition filed under Section 13 of Hindu Marriage Act, 1955, titled as *Ajmer Singh Versus Naresh Kumari*, from the Court of learned Additional District Judge, Chandigarh, to a Court of competent jurisdiction at Bathinda. Respondent is stated to be 74 years of age. It is stated that it is difficult for petitioner to come to Chandigarh from Rampura Phul, District Bathinda.

Perusal of reply and file shows that earlier divorce petition was filed by respondent in the year 2002 which was transferred to Bathinda Courts. The same is stated to have been dismissed. It also comes out that present petitioner has also filed a civil suit on 14.5.2002 before the Chandigarh Courts for declaration and permanent injunction which was

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decided on 8.1.2014. The appeal was also filed at Chandigarh Courts. It also comes out that a compromise has taken place between the parties in the year 2016. In the compromise dated 22.7.2016, it was agreed that parties shall file a mutual divorce petition under Section 13-B of Hindu Marriage Act, 1955, before the Court of learned District Judge, Chandigarh.

Keeping in view the fact that petitioner had earlier invoked the jurisdiction of Chandigarh Courts and contested the case for 12 years and that respondent is 74 years of age, there is no ground to transfer the present petition, titled as *Ajmer Singh Versus Naresh Kumari*, from Chandigarh Courts to Bathinda Courts. Consequently, petition is dismissed. However, keeping in view the advance age of both the parties, the Court at Chandigarh is directed to refer the matter to Mediation and Conciliation Centre, so that the matter can be amicably settled between the parties.

(KULDIP SINGH)
JUDGE

28.2.2018
sjks

Whether speaking / reasoned : Yes / No

Whether Reportable : Yes / No