

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

**T.A. No.113 of 2018 (O&M)
Date of decision : May 22, 2018**

Mamta **Petitioner**

Versus

Rakesh **Respondent**

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Chanderhas Yadav, Advocate for the petitioner.

Mr. R.K. Girdhwal, 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)

Petitioner seeks transfer of a petition filed under Section 13(1) (ia) of the Hindu Marriage Act, 1955, titled as “***Rakesh vs Mamta***”, pending in the Court of learned District Judge, Jhajjar to a Court of competent jurisdiction at Narnaul.

Heard.

Learned counsel for the petitioner has pointed to the averments made in the petition, wherein it is alleged that the petitioner is suffering from K/L/O Seizure disorder and was treated at PGIMS, Rohtak.

It is contended that in view of the said Seizure disorder, the petitioner is unable to travel from Narnaul to Jhajjar, which is at a distance of about 130 Kms. It is also contended that one petition under the Protection of Women from Domestic Violence Act, 2005, is pending at Narnaul Courts. Therefore, the prayer is made for transferring the aforesaid petition from Jhajjar Courts to Narnaul Courts.

Learned counsel for the respondent has requested that from the village of the petitioner, Narnaul and Rewari are at the same distance. Therefore, the case may be transferred to Rewari Courts.

Learned counsel for the petitioner has countered the arguments.

Considering the medical condition of the petitioner and the fact that one more case between the parties is already pending at Narnaul Courts, the petition filed under Section 13(1) (ia) of the Hindu Marriage Act, 1955, titled as “***Rakesh vs Mamta***”, pending in the Court of learned District Judge, Jhajjar, is withdrawn from the said Court and transferred to the Court of learned District Judge, Narnaul, who may try the case himself or entrust it to a Court of competent jurisdiction.

As such, the present petition is allowed.

(KULDIP SINGH)
JUDGE

May 22, 2018

sarita

Whether speaking / reasoned Yes

Whether Reportable: No