

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

TA No. 151 of 2018(O&M)

Date of decision:-01.11.2018

Nitika

.. Petitioner

vs.

Munish Kumar

.. Respondent

Coram: Hon'ble Mr. Justice Harinder Singh Sidhu

Present:- Mr. K.K. Goel, Advocate for the petitioner.

Mr. Viren Jain, Advocate for the respondent.

Harinder Singh Sidhu, J.

The petitioner-wife has filed the present petition under Section 24 of the Code of Civil Procedure for transfer of divorce petition bearing No. HMA-194/2017 titled as 'Munish Kumar vs. Nitika', filed by the respondent, which is pending in the Court of learned Additional District Judge, Amritsar to a Court of competent jurisdiction either at Mohali or Chandigarh.

The marriage between the petitioner and the respondent was solemnized on 29.05.2011. A male child was born to them on 17.05.2012, who is residing with the petitioner at Mohali. The child is school going.

It is the case of the petitioner that it is difficult for the petitioner to attend the Court proceedings at Amritsar, which is at a distance of 202 KMs. from Mohali.

Learned counsel for the respondent states that he has no objection if the case is transferred to Chandigarh.

Without going into the other averments in the transfer application but keeping in view the fact that the petitioner has a minor son,

aged about 6 years, who is residing with her, the transfer application is allowed. The divorce petition bearing No. HMA-1914/2017 titled as 'Munish Kumar vs. Nitika', filed by the respondent, which is pending in the Court of learned Additional District Judge, Amritsar is withdrawn from the said Court and transferred to Chandigarh. The District Judge Chandigarh may assign it to any competent Court.

The records of the case be transferred to the transferee Court at the earliest.

The parties may appear before the transferee Court at Chandigarh on 03.12.2018.

01.11.2018	(Harinder Singh Sidhu)
dinesh	Judge
Whether speaking/reasoned	Yes/No
Whether Reportable:	Yes/No