

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

TA No.157 of 2018 (O&M)
Date of decision: 23.08.2018

Shilpi .. Petitioner

vs.

Ankur Arora .. Respondent

Coram: Hon'ble Mr. Justice Harinder Singh Sidhu

Present:- Mr. Mayank Aggarwal, Advocate for the petitioner.

Mr. Kunal Dawar, Advocate for the respondent.

Harinder Singh Sidhu, J.

The petitioner is the wife and the respondent her husband. This petition has been filed under Section 24 of the Code of Civil Procedure for transferring of the case under Section 13 of the Hindu Marriage Act, 1955 titled as “Ankur Arora Vs. Shilpi” pending in the Court of Ld. Additional District Judge, Jalandhar to a Court of competent jurisdiction at Faridkot.

Learned counsel for the petitioner states that the marriage of the petitioner was solemnized with respondent on 14.10.2007. A son who is now aged about 9 ½ years was born to them, who is residing with the petitioner. The petitioner is residing at her parental house at district Faridkot along with her minor son. The petitioner has no source of income and it is difficult for her to attend the Court proceeding at Jalandhar, where the respondent has filed the petition under Section 13 of the Hindu Marriage Act. It is further stated that two cases between the parties are already pending at Faridkot, namely a petition under the provisions of Guardian and Ward Act, which has been filed by the respondent and a complaint under Section 12/17/18/19/20/21/22/23 of the Protection of Women From Domestic Violence Act filed by the petitioner. The respondent is already appearing in this case.

Learned counsel for the respondent states that the petition under Section 13 of the Hindu Marriage Act has been pending for last 5 years and there is no justification of filing the present transfer application to a belated stage.

Be that as it may, considering the aforesaid facts and circumstances, this petition is deserve to be allowed.

The case under Section 13 of the Hindu Marriage Act, 1955 titled as “Ankur Arora Vs. Shilpi' pending in the Court of Ld. Additional District Judge, Jalandhar is withdrawn from that Court and transferred to Faridkot. The District Judge Faridkot may assign it to a competent Court at Fardikot.

Disposed of.

23.08.2018	(Harinder Singh Sidhu)
Atul	Judge
Whether speaking/reasoned	Yes/No
Whether Reportable:	Yes/No