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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM No. 10733-CII-2018 in/and
TA No. 177 of 2018 (O/M)
Date of decision : 24.5.2018

Dimpal Petitioner

Versus

Vinod Kumar Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Gaurav Sethi, Advocate,
for non applicant-petitioner.

Mr. Tarun Sharma, Advocate,
for applicant-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)

CM-10733-CII-2018

Reply of respondent taken on record.

Application is disposed of.

Main case

Petitioner seeks transfer of petition, i.e. petition No. DMC/425 of 2017, titled as *Vinod Kumar Versus Dimple*, filed under Section 13 of Hindu Marriage Act, 1955, pending in Court of learned Additional District Judge, Panipat, to a Court of competent jurisdiction at Ambala.

The learned counsel for petitioner contends that one case under Protection of Women from Domestic Violence Act, 2005, and one application under Section 125 Cr.P.C. is pending at Ambala Courts.

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On the other hand, learned counsel for respondent has stated that respondent has already filed a criminal case against his brother in law and mother in law for allegedly causing injury, which is pending at Panipat Courts. It is contended that respondent apprehends danger to his life at Ambala Courts.

It also comes out that parties last resided as husband and wife at Panipat, and witnesses also belong to Panipat. Therefore, convenience of witnesses is also to be seen. Both Ambala and Panipat are on National Highway and frequent bus and rail service is available. It is a civil case and petitioner is not required to appear in person on each and every date of hearing. The plea of petitioner regarding expenses can be met by passing appropriate order. As such, I do not find any ground to transfer abovesaid case from Panipat Courts to Ambala Courts. However, it is directed that whenever petitioner appears in person at Panipat Courts, respondent-husband will pay her Rs. 2,000/- as expenses on each date. Consequently, petition is dismissed.

(KULDIP SINGH)
JUDGE

24.5.2018
sjks

Whether speaking / reasoned : Yes / No

Whether Reportable : Yes / No