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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

TA No. 786 of 2017 (O/M)
Date of decision : 20.3.2018

Parminder Kaur Sidhu

..... Petitioner

Versus

Simrat Singh Mansahia

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Pankaj Maini, Advocate, for petitioner.

Mr. Ayush Gupta, 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 seeks transfer of petition bearing No. 1158 of 2017 titled as *Simrat Singh Mansahia Versus Parminder Kaur Sidhu*, filed under Section 13 of the Hindu Marriage Act, 1955, from the Court of learned Additional District Judge, Ludhiana, to a Court of competent jurisdiction at Chandigarh. Petitioner belongs to Phase-III-A, SAS Nagar (Mohali), District Mohali, which is nearer to District Courts, Sector-43, Chandigarh.

The learned counsel for petitioner contends that petitioner is suffering from a disease called Secondary Antiphospholipid Syndroms as per chronic certificate dated 28.7.2017 (Annexure-P-2), issued by PGI, Chandigarh and that at sometime, she may need immediate hospitalization.

The petition is opposed on the ground that certificate was obtained after filing of petition. It is further contended that brother of petitioner is creating problem. Therefore, at the first instance, the case

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should not be transferred from Ludhiana Courts to Chandigarh Courts of at it is to shifted, it should be transferred to Fastehgarh Sahib.

I am of the view that admittedly, petitioner is suffering from disease mentioned above. There is no certificate to the contrary to show that she is not suffering from such disease. The normal rule is that convenience of wife is to be seen. Considering the disease of the petitioner and her convenience, petition bearing No. 1158 of 2017 titled as *Simrat Singh Mansahia Versus Parminder Kaur Sidhu*, filed under Section 13 of the Hindu Marriage Act, 1955, pending in the Court of learned Additional District Judge, Ludhiana, is withdrawn from said Court and same is transferred to the Court of learned District Judge, Chandigarh, who may retain the case with him or entrust the same to a Court of competent jurisdiction. Consequently, petition is allowed. Since main petition has been allowed, therefore, pending application, if any, also stands disposed of.

(KULDIP SINGH)
JUDGE

20.3.2018
sjks

Whether speaking / reasoned : Yes / No

Whether Reportable : Yes / No