

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

TA No. 252 of 2018(O&M)
Date of decision: 10.08.2018

Pankaj Sharma

.. Petitioner

vs.

Vainy Prashant

.. Respondent

Coram: Hon'ble Mr. Justice Harinder Singh Sidhu

Present:- Mr. Abhishek Sindhvani, Advocate
for the petitioner.

Mr. Mahavir Singh, Advocate
for the respondent.

Harinder Singh Sidhu, J.

The petitioner(wife) has filed this transfer application under Section 24 read with Section 151 of the Code of Civil Procedure for transfer of petition under Section 9 of the Hindu Marriage Act, 1955 titled 'Vainy Prashant vs. Pankaj Sharma', filed by the respondent(husband), which is presently pending before learned Additional Civil Judge (Senior Division), Fazilka to the Court of competent jurisdiction at Jind.

Learned counsel for the petitioner states that the marriage of the petitioner with the respondent was solemnized on 07.12.2015. The petitioner is presently residing with her infant five months old daughter, at Jind. It is very difficult for the petitioner to attend the Court proceedings at Fazilka, which is about 283 KM from Jind. It is also stated that two cases (petition under Section 125 Cr.P.C. and petition under Section 12 the Protection of Women from Domestic Violence Act, 2005) between the parties are pending at Jind and in those cases the respondent is appearing.

Learned counsel for the respondent, on the other hand, has contended that there is no justification for transfer of the case, filed by the respondent at Fazilka. It is stated that the respondent is working as Site

Engineer at Canara Bank, Chandigarh and he is to look after his ailing parents at Fazilka.

Be that as it may, considering the facts and circumstances of the case, this petition is allowed. The case under Section 9 of the Hindu Marriage Act, 1955 titled 'Vainy Prashant vs. Pankaj Sharma', filed by the respondent(husband), which is presently pending before learned Additional Civil Judge (Senior Division), Fazilka is withdrawn from the said Court and transferred to Jind. The District Judge, Jind may assign it to any competent Court.

10.08.2018
dinesh

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No