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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

TA No. 826 of 2017 (O/M)
Date of decision : 25.1.2018

Gurwinder Kaur alias Simran

..... Petitioner

Versus

Gaurav Kumar

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. J.S. Ghumman, Advocate, for petitioner.
Mr. Monty Goyal, 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 ?
- .- -.-

KULDIP SINGH J. (ORAL)

Heard.

This is second transfer petition filed by petitioner for transfer of petition filed by respondent husband under Section 13 of Hindu Marriage Act, 1955, titled as *Gaurav Kumar Versus Gurwinder Kaur alias Simran*, pending in the Court of learned Additional District Judge, Ludhiana, to a Court of competent jurisdiction at Jalandhar.

Respondent appeared and filed a photocopy of order dated 31.7.2017, passed by a coordinate bench of this Court in TA No. 624 of 2017, vide which first petition was dismissed with following observations :-

' The distance between two places is less than 60 kms., therefore, it would be appropriate if the proceedings are allowed to continue in the Court of Additional District Judge,

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Ludhiana.

The applicant-wife is at liberty to apply to the Court for maintenance and travelling expenses for every hearing and the Court at Ludhiana will pass an appropriate order, in accordance with law. However, the Court shall ensure that on every hearing when the applicant-wife appears, the husband pays the amount determined as travelling expenses for herself and an escort, before the trial progresses further.'

Now, second petition has been filed on the ground that petitioner wife is suffering from Schizophrenia.

I am of the view that whatever ground is now available should have been taken in first petition. Any ground which was not taken in first petition is deemed to have been considered and decided. By way of second petition, the petitioner seeks review of earlier order dated 31.7.2017, passed by a coordinate bench of this Court only a few months back in TA No. 624 of 2017.

In view of order passed in the first transfer petition, there is no ground to allow instant petition on the additional ground, which is sought to be projected in instant petition. Therefore, instant petition is dismissed.

(KULDIP SINGH)
JUDGE

25.1.2018
sjks

Whether speaking / reasoned : Yes

Whether Reportable : No