

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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TA No.308 of 2018 (O&M)
Date of decision : 28.08.2018

Ekta

... Petitioner

Versus

Sumit Yadav

.... Respondent

CORAM : HON'BLE MR.JUSTICE HARINDER SINGH SIDHU

Present:- Mr.P.S.Sullar, Advocate
for the petitioner.

Mr.Gurvidner Singh Sandhu, Advocate
for the respondent.

Harinder Singh Sidhu, J.

Petitioner-wife has filed the present petition under Section 24 of the Code of Civil Procedure for transferring the case titled as “Sumit Yadav Vs. Ekta Kumari” under Section 13 of the Hindu Marriage Act, 1955 filed by the respondent, husband, pending before the court of Addl. District Judge, Family Court Gurugram, to District Court, Narnaul, District Mahendergarh.

The marriage between the parties was solemnized on 3.11.2014. There is no child from the marriage. The case of the petitioner is that after marriage, the petitioner stayed at her matrimonial home in Gurugram. However, on account of harassment at the hands of the respondent and his family members, she was forced to leave the matrimonial home. Thereafter, she started living with her parents at District Mahendergarh. She has filed a petition under Section 125, Cr.P.C. which is pending before the court of Judicial Magistrate, 1st Class, Narnaul.

It is stated that petitioner is unemployed and is wholly dependent upon her parents. It would be difficult for her to attend the court

proceedings at Gurugram which is at a distance of 110 kms from her place of residence. It is accordingly, prayed that the petition filed by the respondent, husband be transferred from Gurugram to Narnaul, District Mahendergarh.

Learned counsel for the respondent has stated that respondent is employed in a private firm at Gurugram and it would be difficult for him to attend the court proceedings at Narnaul, if the case is transferred from Gurugram to Narnaul.

Be that it may, considering the facts and circumstance of the case and the fact that it would be difficult for the petitioner to travel from Narnaul to Gurugram, it is appropriate that the petition under Section 13 of the Hindu Marriage Act, filed by the husband, be transferred from Gurugram to Narnaul, District Mahendergarh.

Accordingly, this petition is allowed. The petition under 13 of the Hindu Marriage Act, 1955 titled as “Sumit Yadav Vs. Ekta Kumari” pending in the Court of Addl. District Judge (Family Court), Gurugram, is withdrawn from that court and transferred to Narnaul, District Mahendergarh. The learned District Judge, Mahendergarh may assign it to a competent court at Narnaul.

(Harinder Singh Sidhu)
Judge

28.08.2018

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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No