

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

T.A. No. 889 of 2017

DATE OF DECISION :- December 11, 2018

Rajwant Kaur

...Applicant

Versus

Harpreet Singh Sekhon

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. Manish Jain, Advocate
with Mr. Mayur Kanwar, Advocate for the applicant.

Mr. Sanjeev Manrai, Senior Advocate
with Mr. Ajay Singh Parmar, Advocate for the respondent.

Applicant Rajwant Kaur, estranged wife of Harpreet Singh Sekhon-respondent by way of filing the instant application under Section 24 of the Code of Civil Procedure is seeking transfer of divorce petition filed by her husband Harpreet Singh Sekhon against her having title 'Harpreet Singh Sekhon versus Rajwant Kaur' presently pending in the Court of Additional District and Sessions Judge, S.A.S. Nagar, Mohali to the Court of competent jurisdiction at Faridabad. According to her, since she is a woman and minor daughter of the parties is residing with her at Faridabad, it is difficult for her to travel from Faridabad to S.A.S. Nagar, Mohali to attend the dates of hearing in the Court there. Various other pleas have been taken in support of the prayer made in the application.

Notice of the application was given to the respondent, who put in appearance and filed written reply opposing the application.

The main ground for opposing the application is that on account of poor health and medical condition, respondent is not in a position to travel and it would be difficult for him to go from Mohali to Faridabad to appear in the Court there, if divorce petition is transferred from S.A.S. Nagar, Mohali to Faridabad. However, during pendency of the petition the possibility of solution was explored which has been accepted by both the parties. It has been agreed that respondent shall pay a sum of Rs.10,000/- per hearing to the applicant depositing the amount in advance in the bank account of the applicant. The bank account number and other particulars would be supplied by the applicant to the respondent today itself and in that eventuality the applicant shall not press for transfer of divorce petition from the Court at S.A.S. Nagar, Mohali to the Court of competent jurisdiction at Faridabad (Haryana). It has been agreed that in case of two successive defaults committed by the respondent, the applicant shall have a right to get the present application revived and to press for transfer of the case.

With such directions, the Transfer Application stands disposed of.

(H.S. MADAAN)
JUDGE

December 11, 2018

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No