

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

T.A.No.357 of 2018 (O&M)

Date of Decision: August 30, 2018

Sushma Devi

...Petitioner

Versus

Sudhir & another

...Respondents

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL

Present: Mr. Anil Rathee, Advocate,
for the petitioner.

Mr. Jasjeet Singh Virk, Advocate,
for the respondents.

AMIT RAWAL, J.

Present transfer application has been filed for transferring of petition bearing No.DMC/3/2017 titled as “Sudhir Ahmed Versus Sushma & another” seeking paternity of the minor female child, namely, Payal filed at Kurukshetra.

Mr. Anil Rathee, learned counsel for the petitioner submitted that respondent-husband has already filed a divorce petition at Kurukshetra which had already been transferred to Sonapat vide order dated 14.3.2018 passed in T.A. No.911 of 2017 (Annexure A-6). An FIR under Sections 323, 354, 498-A, 406, 506, 34 IPC is also pending. In such circumstances, filing of the aforementioned petition at Kurukshetra is nothing but an act of harassment.

Mr. Jasjeet Singh Virk, learned counsel for the respondents submitted that there is hardly any distance between Kurukshetra and Sonapat. No ground is made out for transfer of the petition.

I have heard the learned counsel for the parties and appraised the paper book.

The facts noticed above are not in dispute. Once divorce petition of the respondent-husband is pending at Sonapat, no explanation has come on record as to why petition seeking paternity of the female child has been filed at Kurukshetra. In such circumstances and keeping in view the convenience of the petitioner, I direct the transfer of petition No.DMC/3/2017 titled as “Sudhir Ahmed Versus Sushma & another” from Kurukshetra to competent court at Sonapat.

Petition stands allowed.

August 30, 2018
ramesh

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable:

Yes/No