

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

TA No. 367 of 2018 (O&M)

Date of decision : 18.12.2018

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Jyoti Bansal

.....Applicant

vs.

Dinesh Kumar

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. L.S. Mann, Advocate for the applicant.

Mr. M.S. Uppal, Advocate for the respondent.

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H. S. Madaan, J. (Oral)

Applicant – Jyoti Bansal, aged about 37 years, by way of moving the instant application is seeking transfer of petition under Section 9 of the Hindu Marriage Act, 1955, filed by her husband Dinesh Kumar, who is respondent in the present application, against her, having title 'Dinesh Kumar vs. Jyoti Bansal' pending in the Court of Additional Civil Judge (Senior Division), Budhlada, District Mansa, to a Court of competent jurisdiction at Bathinda.

Inter alia in the application, it is contended that on account

of a dispute having arisen between the spouses, applicant alongwith two minor daughters of the parties, namely, Diksha Bansal and Bhumi Bansal, had to leave the matrimonial home and start residing with her parents at Bathinda; that respondent has filed a petition under Section 9 of the Hindu Marriage Act, against her which is pending in the Court of Additional Civil Judge (Senior Division), Budhlada. The applicant is working as a teacher in a Government School. She is taking care of two minor daughters of the parties. It is difficult for her to travel from Bathinda to Budhlada, covering a distance of 80 kms, on one side, to attend the dates of hearing there. Furthermore, two more cases between the spouses are pending in the Court at Bathinda. Therefore, the application be accepted.

Notice of the application was given to the respondent, who has put in appearance through counsel. The application is being opposed on behalf of the respondent.

I have heard learned counsel for the parties, besides going through the record.

Keeping in view the contentions in the application and submissions made by learned counsel for the applicant, I find that ends of justice demand that the application be allowed.

Accordingly, the application is accepted. The petition in question pending in the court of Additional Civil Judge (Senior Division), Budhlada, District Mansa, is withdrawn from that Court and transferred to the Court of District Judge, Bathinda, who may retain the case on his Board or assign it to any other Court of competent jurisdiction for disposal in accordance with law. Parties

through counsel are directed to appear there on 23.1.2019.

A copy of the order be sent to the Courts concerned, for information and necessary compliance.

18.12.2018
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(H.S. Madaan)
Judge

Whether speaking / reasoned Yes / No

Whether reportable Yes / No