

TA-395-2018 (O&M)

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

**TA-395-2018 (O&M)
Date of decision : 29.08.2018**

Anju

... Petitioner

Versus

Manoj Kumar

... Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. R.S. Sangwan, Advocate
for the petitioner.

Mr. R.K. Girdhwal, Advocate
for the respondent.

AMIT RAWAL, J.

Prayer in the present petition is to transfer the HMA Case No.51 of 2018 titled as “Manoj Kumar V/s Anju” (Annexure P-1) filed by the respondent-husband, pending before the Court of Ld. District Judge, Jhajjar to the Court of competent jurisdiction at Charkhi Dadri.

Learned counsel for the petitioner submitted that the marriage between the parties was solemnized on 16.11.2008, but owing to the difference, the petitioner was thrown out of the matrimonial home. The petitioner has a minor child to look after, therefore, it is very difficult for her to appear before the concerned Court at Jhajjar as she is resident of Charkhi Dadri.

I have heard learned counsel for the parties, appraised the paper book and of the view that there is no merit and force in the submissions of

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Mr. R.S. Sangwan, for, the sole basis for transfer of the aforementioned petition that the petitioner has a minor child to look after and not having any source of income, is not a ground for transfer of petition. Moreover, the distance between Charkhi Dadri and Jhajjar is about 45 kms, which cannot be said to be far away keeping in view the fact that over a period of time, the commutation between the towns and various other cities of the States of Punjab and Haryana have become more convenient owing to widening and setting up of four-lane highways. Inconvenience cannot be a ground for transfer of the petition, until and unless certain circumstances of threat perception to the liberty and life are there. No such averment or argument, in this regard, has been made.

Keeping in view the aforementioned facts, I do not find it a fit case for transfer of the divorce petition.

The transfer application is dismissed.

29.08.2018
Yogesh Sharma

(AMIT RAWAL)
JUDGE

✓

Whether speaking/reasoned **Yes/ No**

✓

Whether Reportable **Yes/ No**