

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

T.A. No. 964 of 2017

DATE OF DECISION :- December 21, 2018

Lochna Jain

...Applicant

Versus

Vikul Jain

...Respondent

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

Present:- Mr. Gourav Jain, Advocate for the applicant.

Ms. Prabha Sharma, Advocate
for Ms. Kiran Bala Jain, Advocate for the respondent.

By way of filing the present application, applicant Lochna Jain, aged about 22 years, estranged wife of Vikul Jain-respondent, presently residing with her parents at Bathinda seeks transfer of petition under Section 10 of the Hindu Marriage Act, 1955 filed by her husband Vikul Jain, pending in the Court of District Judge, Family Court, Ambala (Haryana) to the Court of competent jurisdiction at Bathinda.

The reasons mentioned in the application craving for transfer of petition are that applicant is a young woman, who is taking care of minor daughter of the parties aged about 2 years, having no source of income, it is difficult for the applicant to travel from Bathinda to Ambala covering a distance of 230 kms on one side and two case between the parties are already pending in the Courts at Bathinda, as such the application be accepted.

Notice of the application was given to the respondent, who put in appearance through counsel and is vehemently opposing the application.

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

The matter was referred to Mediation and Conciliation Centre of this Court to explore the possibility of amicable settlement but those efforts have not proved to be fruitful.

Keeping in view the facts and circumstances of the case, I am of view that the application calls for acceptance, the same is accordingly allowed. The petition in question is ordered to be withdrawn from the Court of District Judge, Family Court, Ambala and transferred to the Court of District Judge, Bathinda for disposal in accordance with law. Learned District Judge, Bathinda may retain the petition on his board or assign it to any other Court of competent jurisdiction.

The parties through their counsel are directed to appear in the transferee Court on 28.1.2019. Copies of orders be sent to the Court of District Judge, Family Court, Ambala as well as to the Court of District Judge, Bathinda for information and necessary compliance.

(H.S. MADAAN)
JUDGE

December 21, 2018
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No