

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

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TA No.443 of 2018
Date of Decision : 9.8.2018

Ritu @ Roshni

... Petitioner

Versus

Parveen

.... Respondent.

CORAM: HON'BLE MR.JUSTICE HARINDER SINGH SIDHU

Present:- Mr.Hemender Goswami, Advocate
for the petitioner.

Mr.C.S.Singhal, Advocate
for the respondent.

Harinder Singh Sidhu, J.

Petitioner (wife) has filed the present petition under Section 24 of the Code of Civil Procedure for transfer of the petition under Section 13 of the Hindu Marriage Act, 1955 titled as “Parveen Vs. Riut @ Roshni” filed by the respondent (husband) which is pending before Principal Judge, Family Court, Rohtak, to a court of competent jurisdiction at Ludhiana.

It is stated that the marriage between the parties was solemnized on 7.4.2014. From the wedlock, a minor daughter, Jhanvi was born on 17.12.2015. It is stated that the petitioner after being thrown out from the matrimonial home, is now living at her parental house at Ludhiana since 19.10.2017. The minor daughter is living with the respondent. It is stated that father of the petitioner is no more and the petitioner is wholly dependent upon her mother. The distance between Rohtak and Ludhiana is 300 kms and it takes atleast 7 hours to reach Rohtak. It is contended that it is difficult for the petitioner to attend court proceedings at Rohtak.

Learned counsel for the respondent on the other hand has urged that there is no justification for transfer of the petition.

I have heard learned counsel for the parties.

Considering the facts and circumstance of the case, it is appropriate that the petition under Section 13 of the Hindu Marriage Act, filed by the respondent be transferred from Rohtak to a Court of competent jurisdiction at Ludhiana. Accordingly, this petition is allowed. The petition under Section 13 of the Hindu Marriage Act, 1955 titled as “Parveen Vs. Ritu @ Roshni” pending in the Court of Principal District Judge, Family Court, Rohtak is withdrawn from that court and transferred to Ludhiana. The learned District Judge, Ludhiana may assign it to a competent court at Ludhiana.

(Harinder Singh Sidhu)
Judge

09.08.2018

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Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No