

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

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TA No.469 of 2018 (O&M)
Date of decision : 16.10.2018

Neha Khosla

... Petitioner

Versus

Nitish Kumar

.... Respondent

CORAM: HON'BLE MR.JUSTICE HARINDER SINGH SIDHU

Present:- Mr.Shanshak Sharma, Advocate for the petitioner.
Mr.Sanjay Jain, 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 9 of the Hindu Marriage Act, 1955 titled as “Nitish Kumar Vs. Neha Khosla” filed by the respondent (husband) which is pending before learned District Judge (Family Court), Ambala, to a court of competent jurisdiction at Panchkula.

The marriage of the petitioner and respondent was solemnized on 12.12.2016. There is no child from the said marriage.

It is the case of the petitioner that soon after the marriage, the petitioner was maltreated and physically tortured by the respondent and his family members on account of dowry. She was thrown out of her matrimonial home. Though repeated efforts were made by the petitioner to save her matrimonial life but to no avail.

The petitioner has filed a complaint with the police at Police Station Woman Panchkula. Thereafter, the respondent has filed the petition under Section 9 of the Hindu Marriage Act, against the petitioner at Amabala.

It is the case of the petitioner that she is residing with her parents at Panchkula. She is suffering from back injury and lumbar pain and she is taking treatment for the same. A medical certificate has been annexed as

Annexure P-2. The petitioner has been advised to wear LS belt and avoid

travelling. It is very difficult for the petitioner to travel from Pachkula to Ambala for the purpose of attending the court proceedings at Ambala.

Learned counsel for the respondent on the other hand states that distance between Panchkula to Ambala is only 43 kms and it would not be difficult for the petitioner to travel from Panchkula to Ambala.

Be that as it may, considering the medical report which is placed on record by the petitioner and other facts and circumstances, the petition is allowed.

The petition under Section 9 of the Hindu Marriage Act, 1955 titled as “Nitish Kumar Vs. Neha Khosla” filed by the respondent (husband) which is pending before learned District Judge (Family Court), Ambala is withdrawn from that court and transferred to Panchkula. The learned District Judge, Panchkula may assign it to a competent court.

(Harinder Singh Sidhu)
Judge

16.10.2018
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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No