

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

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TA-505-2018

Date of Decision : 20.11.2018

Garima**....Petitioner****vs.****Jagmohan Bali****....Respondent****CORAM : HON'BLE MR. JUSTICE AJAY TEWARI**

Present: Mr. Amit Arora, Advocate
for the petitioner.

Mr. Harmanjit Singh Thiara, Advocate
for the respondent.

AJAY TEWARI, J. (Oral)

Petitioner has filed the present transfer application/petition under Section 24 of the Code of Civil Procedure for transfer of the petition under Section 13 (i) (ia) (ib) of Hindu Marriage Act, 1955 titled Jagmohan Bali vs. Garima which is pending before learned Additional District & Sessions Judge, Hoshiarpur to the competent Court at District Ludhiana.

The ground taken by counsel for the applicant is that the applicant is now residing with her parents at Khanna, Ludhiana and she has no source of income. The respondent has not paid any amount to her. Therefore, it is very difficult for her to come Hoshiarpur for court proceedings.

Learned counsel for the respondent has stated that Ludhiana is 74 K.M away from Hoshiarpur and the petition may be transferred to Nawashahar. Counsel for the respondent has stated that the respondent is willing to bear the travel expenses which the applicant may have to incur for

those hearings when her presence is required before the Trial Court. Counsel for the applicant has accepted this offer.

In my opinion, the respondent can not determine when and how often the applicant wants to attend the hearing and it is directed that he would be liable to pay Rs.300/- for every visit which the applicant may make to attend the hearing. Consequently, the respondent is directed to deposit a sum of Rs.1500/- with the trial court. This would take care of 5 visits which the applicant may have to make and after those visits the respondent would similarly deposit the same amount again and would undertake to do so till the conclusion of the hearing.

In the circumstances, the petition is disposed of in the above term and petition under Section 13 (i) (ia) (ib) of Hindu Marriage Act, 1955 titled Jagmohan Bali vs. Garima which is pending before learned Additional District & Sessions Judge, Hoshiarpur is withdrawn from that Court and is transferred to the Sessions Judge at District Nawanshahr.

Let the record be sent there. Parties through counsel are directed to appear before District and Sessions Judge, Nawanshahar on 18.12.2018. The learned District and Sessions Judge, Nawanshahar may either decide the case himself or assign it to any Court of competent jurisdiction at Nawanshahar.

The application stands disposed of.

(AJAY TEWARI)
JUDGE

20.11.2018
anuradha

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No