

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

**T.A. No.51 of 2018 (O&M)
Date of decision : May 09, 2018**

Smt. Seema Kumari

..... Petitioner

Versus

Vijender Goswami

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. B.K. Mojka, Advocate for the petitioner.

Mr. Dilpreet Singh, Advocate for
Mr. Parminder Singh, Advocate for the respondent.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (ORAL)

Reply on behalf of the respondent has been filed in the Court today and the same is taken on record.

Petitioner seeks transfer of a petition bearing No.HMA-865-2017, filed under Section 13(1)(a) of the Hindu Marriage Act, 1955, titled as “*Vijender Goswami vs Smt. Seema Kumari*”, pending in the Court of learned District Judge, Family Court, Karnal, to a Court of competent jurisdiction at Rewari.

Heard.

Learned counsel for the petitioner states that two other cases between the parties are pending at Rewari Courts.

On the other hand, learned counsel for the respondent states that respondent is a Polio patient and is 100% disabled, as per certificate Annexure P-1. Therefore, he cannot travel from Karnal to Rewari Courts to pursue his case due his physical disability.

Respondent is stated to be working in Income Tax Department. It is also stated that he has also filed a petition for transfer of the case filed under the Protection of Women from Domestic Violence, 2005 from Rewari Courts to Karnal Courts.

The plea of the expenses on travelling can be taken care by passing appropriate order.

As such, in view of the physical disability of the respondent, there is no ground to transfer the aforesaid petition from Karnal Courts to Rewari Courts.

Accordingly, the present petition is dismissed.

However, the respondent, who is stated to be working in Income Tax Department, is directed to pay ₹3,000/- to the petitioner on each date of hearing, when she appears in person before the Karnal Courts.

Since, the main petition has been dismissed, therefore, the pending application, if any also stands disposed of.

(KULDIP SINGH)
JUDGE

May 09, 2018

sarita

Whether speaking / reasoned Yes

Whether Reportable: No