

TA-524-2018 (O&M)

105

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

**TA-524-2018 (O&M)
Date of decision : 29.08.2018**

Sheetal Kaur

... Petitioner

Versus

Daljit Singh

... Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. B.S. Saini, Advocate
for the petitioner.

Ms. Rajni Maurya, Advocate for
Mr. Naveen Batra, Advocate
for the respondent(s).

AMIT RAWAL, J.

Prayer in the present petition is to transfer the petition bearing MHA No.263 of 2018 titled as “Daljit Singh V/s Sheetal Kaur” filed under Section 11 of the Hindu Marriage Act, pending before the Court of Ld. Additional District Judge, Hoshiarpur to the Court of competent jurisdiction at Fatehgarh Sahib.

Learned counsel for the petitioner submitted that the marriage between the parties was solemnized on 18.04.2015. Hoshiarpur is about three hours' journey from Mandi Gobindgarh. Being a lady, it is very difficult to appear before the concerned Court at Hoshiarpur. The petitioner is jobless lady and not having any source of income. It is an attempt to harass and humiliate the petitioner and therefore, transfer of the petition has been sought.

TA-524-2018 (O&M)

I have heard learned counsel for the parties, appraised the paper book and of the view that there is no merit and force in the submissions of Mr. Saini, for, the sole basis for transfer of the aforementioned petition that the petitioner is jobless lady and not having any source of income, is not a ground for transfer of petition. Moreover, the distance between Mandi Gobindgarh and Hoshiapur is about 130 kms, which cannot be said to be far away keeping in view the fact that over a period of time, the commutation between the towns and various other cities of the States of Punjab and Haryana have become more convenient owing to widening and setting up of four-lane highways. Inconvenience cannot be a ground for transfer of the petition, until and unless certain circumstances of threat perception to the liberty and life are there. No such averment or argument, in this regard, has been made.

Keeping in view the aforementioned facts, I do not find it a fit case for transfer of the divorce petition.

The transfer application is dismissed.

29.08.2018
Yogesh Sharma

(AMIT RAWAL)
JUDGE

✓

Whether speaking/reasoned **Yes/ No**

✓

Whether Reportable **Yes/ No**