

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

106

TA-567-2018

Date of Decision : 30.11.2018

Kanwaljit Kaur

..... Applicant

Versus

Angrej Singh

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present :- Mr. Atul Goyal, Advocate
for the Applicant.

Mr. Prashant Bansal, Advocate
for the respondent.

AJAY TEWARI, J. (ORAL)

This transfer application has been filed by the applicant-wife to transfer a petition filed by the respondent-husband under Section 13 of the Hindu Marriage Act, 1955 from the District Court, Patiala to a competent Court at Ludhiana.

The ground taken is that one case of maintenance and another case under the Domestic Violence Act are already pending between the parties at Ludhiana.

Reply has been filed by the respondent. Copy of the same has been supplied. Counsel for the respondent has argued that the fact of the matter is that it is the applicant who left the matrimonial house with her own will and the minor child is staying with the respondent and therefore it is very difficult for the respondent to go to Ludhiana after living the minor child at home.

In my opinion, on the comparative hardship tests it would be appropriate if the divorce petition filed by the respondent at Patiala is

transferred to the Court of District and Sessions Judge, Ludhiana. Ordered accordingly. Application stands allowed. The record be sent to the Court of District and Sessions Judge, Ludhiana. Parties through counsel are directed to appear before the District and Sessions Judge, Ludhiana on 28.12.2018 who can try the case himself or mark the same to other competent court. However, the respondent is at liberty to move application/s before the different courts for fixing all the cases on the same date as far as possible.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

November 30, 2018
ashish

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No