

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

TA No.693 of 2018 (O&M)
Date of decision: 01.11.2018

Neetu .. Petitioner

vs.

Ombir .. Respondent

Coram: Hon'ble Mr. Justice Harinder Singh Sidhu

Present:- Mr. Abhimanyu Singh, Advocate
for the petitioner.

Mr. J.P. Sharma, Advocate
for the respondent.

Harinder Singh Sidhu, J.

CM No.21198-CII of 2018

Civil Misc. Application is allowed.

Reply filed on behalf of the respondent is taken on record.

Main case.

The petitioner-wife has filed this petition under Section 24 of the Code of Civil Procedure for transferring the petition under Section 13 (i) (ia) (ib) of the Hindu Marriage Act, 1955 titled as "Ombir Vs. Smt. Neetu", filed by the respondent-husband, which is pending in the Court of Ld. District Judge, Narnaul, to a Court of competent jurisdiction at Nuh.

It is stated that the marriage of the petitioner was solemnized with the respondent on 02.11.2016. Three daughters who are aged about 9 years, 7 years and 2 years respectively were born to them. They are also residing with the petitioner at Nuh.

The respondent has filed the petition under Section 13 (i) (ia) (ib) of the Hindu Marriage Act, 1955 at Narnaul.

It is stated that petitioner has no independent source of income. She is wholly dependent on her parents. It is very difficult for her to attend the Court proceedings at Narnaul, which is at a distance of 160 Kms from place of residence of the petitioner.

Learned counsel for the respondent has opposed the transfer stating that the respondent apprehends danger to his life, if he is to attend the Court proceedings at Nuh. However, he has not placed anything on record to substantiate this ascertainment.

Considering the facts and circumstances, this petition is allowed.

The petition under Section 13 (i) (ia) (ib) of the Hindu Marriage Act, 1955 titled as "Ombir Vs. Smt. Neetu", filed by the respondent-husband, which is pending in the Court of Ld. District Judge, Narnaul is withdrawn from that Court and transferred to Nuh. The District Judge, Nuh may assign it to any competent Court.

01.11.2018
Atul

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No