

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

T.A. No. 741 of 2018

DATE OF DECISION :- December 04, 2018

Seema

...Petitioner

Versus

Rohit

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. Sumit Sangwan, Advocate for the petitioner.

Mr. Siddharth Gulati, Advocate for the respondent.

Petitioner Seema seeks transfer of Petition under Section 9 of the Hindu Marriage Act filed by her husband Rohit against her titled 'Rohit Vs. Seema' pending in the Court of Civil Judge (Sr. Division), Kaithal to the Court of competent jurisdiction at Charkhi Dadri.

Interalia in the petition it is contended that after she was married with the respondent on 10.12.2015, the spouses started residing together and were blessed with a male child, who was aged about 11 months at the time of filing of the present petition. Unfortunately, differences cropped up between the parties. The petitioner along with the minor son came to reside with her mother at village Berla, Teshsil and District Charkhi Dadri. Her husband has filed a petition for Restitution of Conjugal Rights against her in the Court at Kaithal. She being a lady required to look after her minor son. It is difficult for her to travel a distance of 185 kms to attend

the dates of hearing, as such the petition in question be transferred to the Court of competent jurisdiction at Charkhi Dadri.

Notice of the petition was given to the respondent, who has appeared through counsel filing reply contesting the petition.

I have heard learned counsel for the parties besides going through the record.

Learned counsel for the respondent has opposed the petition mainly for the reason that there is threat to the life of respondent in case he goes to Charkhi Dadri. However, during the course of arguments, learned counsel for the parties have agreed that the petition be transferred to the Court of competent jurisdiction at Bhiwani.

Accordingly, the petition is accepted. The petition in question is withdrawn from the Court of Civil Judge (Sr. Division), Kaithal to Family Court at Bhiwani since it is stated that such type of petitions are being dealt with by the Family Court at Bhiwani which has been established for trying matrimonial cases etc.

The parties through their counsel are directed to appear in the transfree Court on 19.12.2018. Copies of orders be sent to the Court of Civil Judge (Sr. Division), Kaithal as well as Presiding Officer (Family Court) at Bhiwani for information and necessary compliance.

(H.S. MADAAN)
JUDGE

December 04, 2018

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No