

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

Transfer Application no.750 of 2018

Date of Decision:22.10.2018

Rupali

.....Petitioner

Vs.

Pankaj Kumar

....Respondent

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

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

Ms.Rishma Verma, Advocate,
for the respondent.

AMOL RATTAN SINGH, J. (Oral)

Learned counsel for the petitioner submits that a petition under Section 13 of the Hindu Marriage Act, 1955, instituted by the petitioner, is already pending at Gurdaspur, where the petitioner resides, and the respondent has filed a petition under Section 9 of the said Act, at Jalandhar; and therefore, it would be more appropriate for the petition filed under Section 9 of the said Act to be transferred to Gurdaspur itself.

Learned counsel for the respondent on the other hand submits that the distance between Batala to Jalandhar being only 73 km. there is no hardship on the petitioner to appear in the Court at Jalandhar.

She also submits that the respondent, i.e. the husband, is a poor person, who can ill effort to travel to Gurdaspur.

Having heard learned counsel for the parties, in the opinion of this Court, the petition at Gurdaspur being one seeking a divorce in terms of Section 13 of the Act of 1955, with the husband having filed for

restitution of conjugal rights at Jalandhar, it would be appropriate that both the petitions are heard by the same Court, and consequently, this petition is allowed with the Court at Jalandhar directed to transfer the matter to the Court seized of the proceedings under Section 13 of the Act of 1955, at Gurdaspur.

Disposed of.

(AMOL RATTAN SINGH)
JUDGE

October 22, 2018.

dharamvir/dinesh

Whether speaking/reasoned : YES
Whether Reportable : NO