

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

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TA-899-2018 (O&M)

Date of Decision : 30.11.2018

Rekha

..... Applicant

Versus

Ravinder and another

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present :- Ms. Kamlesh, Advocate
for Mr. Manish Soni, Advocate
for the Applicant.

Mr. Tarun Yadav, Advocate
for Mr. Jaiveer Yadav, Advocate
for the respondent No.1.

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, Narnaul to a competent Court at Gurugram.

The ground taken is that another case already filed by the applicant is pending between the parties in the Court at Gurugram.

Counsel for the respondent has opposed this application by arguing that the child is staying with him and his mother is bed-ridden and it is very difficult to leave the child and attend the Court proceedings at Gurugram.

In my opinion, on the comparative hardship tests it would be appropriate if the divorce petition filed by the respondent at Narnaul is transferred to the Family Court, Gurugram. Ordered accordingly. The record be sent to the Family Court, Gurugram. Parties through counsel

are directed to appear before the Family Court, Gurugram on 28.12.2018.

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Consequently, the transfer application stands allowed in the above terms. However, the respondent is at liberty to move an application before the court/s to fix the case/s 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
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No