

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

**T.A. No. 98-2018 (O&M)
Date of decision : 16.5.2018**

Gulvinder @ Chetna Chauhan **Petitioner**

Versus

Dinesh Kumar **Respondent**

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Ms. Bhavna Thakur, Advocate for the petitioner.

Mr. Namit Khurana, Advocate for the respondent.

1. *Whether the Reporters of local newspaper may be allowed to see the judgment ?*
2. *To be referred to the Reporter or not.*
3. *Whether the judgment should be reported in the digest ?*

KULDIP SINGH J. (ORAL)

This is a petition filed under Section 24 of the Code of Civil Procedure, 1908, seeking transfer of the petition filed under Section 13 of the Hindu Marriage Act, 1955 in case No. HMA-628 dated 15.11.2016 titled as **“Dinesh Kumar versus Gulvinder @ Chetna Chauhan”** pending in the Court of learned District Judge, Yamuna Nagar to a Court of competent jurisdiction at Ambala.

Learned counsel for the petitioner contends that an FIR and two cases under the Guardians and Wards Act, 1890 between the parties are already pending at Ambala Courts. He further submits that one minor child is also residing with the petitioner-wife and it is difficult for her to travel from Ambala to pursue her case at Yamuna Nagar Courts.

It comes out that petition under Section 13 of the Hindu Marriage Act, 1955 was filed in November 2016. Petitioner was also appearing before the Yamuna Nagar Courts. Now, the case is fixed for the evidence of the petitioner. Petitioner-wife has absented hereby from the proceedings and has been proceeded against ex-parte.

Since the case is fixed for evidence and is likely to be decided shortly and the fact that witness(s) is also belonging to Yamuna Nagar, no ground to transfer the petition from Yamuna Nagar Courts to Ambala Courts is made out.

Dismissed.

(KULDIP SINGH)
JUDGE

16.5.2018
preeti

Whether speaking / reasoned
Whether Reportable:

Yes
No