

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

TA-167-2019

Date of decision:-6.3.2019

Umesh Budhiraja

...Applicant

Versus

Seema Budhiraja

...Respondent

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

Present : Mr.Yogesh Goel, Advocate
for the applicant.

H.S. MADAAN, J.

Applicant - Umesh Budhiraja has filed the present application for transfer of divorce petition filed by his wife Smt.Seema Budhiraja against him titled 'Seema Budhiraja Versus Umesh Budhiraja' pending in the Court of Ms.Anshu Shukla, Principal District Judge, Family Court, Karnal to any other competent Court having jurisdiction over the matter either in District Karnal or outside Karnal.

The grouse of the applicant is that the Presiding Officer in question had allowed petition under Section 125 Cr.P.C. filed by his wife against him directing him to pay a sum of Rs.50,000/- per month to his wife and Rs.75,000/- per month to their daughter besides Rs.55,000/- as litigation expenses. However, on a revision petition having been filed by the present applicant, a Co-ordinate Bench of this Court has stayed

the recovery of amount beyond a sum of Rs.40,000/- per month. The applicant had filed an application before District Judge, Karnal for transfer of the case from the Court of Ms.Anshu Shukla, Principal District Judge, Family Court, Karnal to some other Court but that application was dismissed. Therefore, he has approached this Court seeking the similar relief.

I have learned counsel for the applicant besides going through the record and I find that there is absolutely no merit in the application. The applicant is basically aggrieved by the fact that the maintenance amount granted by the Presiding Officer of the Family Court, Karnal is on very high side but then as per his own contention, he has challenged that order in this Court and recovery beyond Rs.40,000/- per month has been stayed directing the trial Court to adjourn the case beyond the date fixed in the High Court. He had approached learned District Judge, Karnal seeking transfer of the case but learned District Judge, Karnal declined the request. A District Judge is in best position to know the integrity and reputation of the officers working in his Sessions Division. There is nothing on record to suggest that the Presiding Officer in question has got any personal relations with wife of the applicant or is favourably inclined towards her.

The application is, therefore, dismissed.

(H.S.MADAAN)
JUDGE

6.3.2019
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Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No