

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

TA-790-2019 (O&M)

Date of decision: 11.09.2019

Maneka Chaudhary

...Applicant

Versus

Ajay Kumar

...Respondent

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

Present: Mr. A.K. Sagar, Advocate for the applicant.

H.S. MADAAN, J. (Oral)

By way of moving the present application, applicant Maneka Chaudhary, aged about 39 years, prays for transfer of petition under Section 13-B of the Hindu Marriage Act, filed by her husband Ajay Kumar, the respondent against her pending in the Court of Addl. District Judge, Bathinda to the Court of competent jurisdiction at SAS Nagar (Mohali).

According to the applicant, she is residing with her aged parents at SAS Nagar (Mohali) and does not have any independent source of income. She is suffering from depression and other health problems. She has filed a petition under Section 125 Cr.P.C. against the respondent in Court at SAS Nagar (Mohali). It is difficult for the applicant to travel from SAS Nagar (Mohali) to Bathinda, to attend the dates of hearing in the Court there. As such, the present application be accepted.

I have heard learned counsel for the applicant besides going through the record and I find that there is absolutely no merit in the application. If the applicant Maneka Chaudhary feels that she was forced to file the petition under Section 13-B of the Hindu Marriage Act along with her husband Ajay Kumar in Court at Bathinda, then she is free to withdraw her consent by informing the trial Court in that regard. In petition under Section 13-B of the Hindu Marriage Act, the statements of both the spouses are recorded on the first motion and thereafter, on second motion, after interval of six months. Frequent dates of hearing are not required to be attended in such type of proceedings. Therefore, no question of any inconvenience or harassment to applicant on account of travelling is found to be there. No ground is made out to transfer the petition in question to the Court of competent jurisdiction at SAS Nagar (Mohali). The application being without any merit stands dismissed.

11.09.2019

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No