

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

TA No. 587 of 2018 (O&M)

Date of decision : 7.2.2019

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Mehak Bansal

.....Applicant

vs.

Vaibhav Bansal

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Manish Kumar Singla, Advocate for the applicant.

Ms. Navneet Kaur, Advocate for

Mr. G.S. Nehal, Advocate for the respondent.

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H. S. Madaan, J. (Oral)

Applicant – Mehak Bansal, aged about 27 years, estranged wife of Vaibhav Bansal, presently residing with her parents at Sangrur, on account of marital dispute between the spouses, by way of filing the instant application under Section 24 CPC, is seeking transfer of divorce petition under Section 13 (1) of the Hindu Marriage Act, 1955, filed by her husband, who is respondent in the present application, against her, having title 'Vaibhav Bansal vs. Mehak Bansal' pending in the Court of Additional Principal Judge/ Additional Family Court, Gurugram, to a Court of competent jurisdiction at Sangrur.

According to the applicant, there is a distance of more than 270 kms between Sangrur and Gurugram and it takes minimum 7 hours to cover that distance and since parents of the applicant are of old age, it is difficult for her father to accompany her to Gurugram to attend the dates of hearing and it is not safe for her to travel alone. An FIR had been got registered by the applicant against respondent and his family members at Sangrur, where the respondent and his family members have got themselves released on bail. Therefore, the application be accepted.

Notice of the application was given to the respondent, who has put in appearance through counsel and is opposing the application, contending that Gurugram and Sangrur are well connected by road and one can travel that distance easily. The respondent has got old aged parents to look after, therefore, the application be dismissed.

I have heard learned counsel for the parties, besides going through the record.

Keeping in view the contentions in the application and submissions made by learned counsel for the applicant and as held by the Apex Court in several cases, convenience of the wife in such like matters is an important consideration, I find that ends of justice demand that the application be allowed.

Accordingly, the application is accepted. The petition in question pending in the court of Additional Principal Judge/Additional Family Court, Gurugram, is withdrawn from that Court and transferred to the Court of District Judge, Sangrur, who

may retain the case on his Board or assign it to any other Court of competent jurisdiction for disposal in accordance with law. Parties through counsel are directed to appear there on 8.3.2019.

A copy of the order be sent to the Courts concerned, for information and necessary compliance.

7.2.2019
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(H.S. Madaan)
Judge

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