

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

TA-829-2018 (O&M)
Date of decision: 08.07.2019

Pooja

...Applicant

Versus

Sukhjinder Singh

...Respondent

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

Present: Mr. A.S. Sekhon, Advocate for the applicant.

Mr. Kamal Narula, Advocate for the respondent.

H.S. MADAAN, J. (Oral)

Applicant Pooja, aged about 34 years had filed a petition under Section 12 of the Hindu Marriage Act against respondent Sukhjinder Singh for annulment of the marriage in District Courts at Fazilka, which is presently pending before Addl. District Judge, Fazilka. The respondent had filed a petition under Section 9 of the Hindu Marriage Act against the applicant in the Court of Civil Judge (Jr. Divn.) Fazilka. The applicant seeks transfer of both the petitions to the Court of competent jurisdiction at Faridkot.

The application is being resisted by the respondent vehemently.

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

The applicant herself had filed the petition under Section 12

of the Hindu Marriage Act in District Courts at Fazilka. Now, she is requesting for its transfer to Court at Faridkot for the reason that she is staying there presently. Merely for the reason that applicant has shifted her residence, is not a ground for allowing the present application, more particularly, when she herself had brought the petition under Section 12 of the Hindu Marriage Act against the respondent in Court at Fazilka. The cases cannot be transferred just as per wishes and desires and therefore, finding no merit in the instant application, the same stands dismissed.

However, to address the apprehension of the applicant with regard to danger of physical harm at hands of the respondent, SSP, Fazilka is directed to ensure that the respondent or any other person claiming under him does not cause any threat to the life of the applicant or any other person accompanying her to the Court at Fazilka.

08.07.2019

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(H.S. MADAAN)
JUDGE

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