

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

**T.A NO. 360 OF 2019 (O&M)
DATE OF DECISION : 09.01.2020**

Renu

...Applicant

versus

Bhupesh Singh

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Ajit Sihag, Advocate,
for the applicant.

Mr. Sachin Puri, Advocate,
for the respondent.

ARUN MONGA, J. (ORAL)

CM NO. 8677-CII OF 2019

Allowed, as prayed for.

MAIN CASE

This petition has been filed by applicant-wife seeking transfer of a petition filed by her husband under Section 13 of the Hindu Marriage Act, titled as "Bhupesh Singh v. Renu" from the Court of District Judge, Family Court, Hisar to any other Court of competent jurisdiction at district Bhiwani.

2. Transfer is being sought on the ground that proceedings instituted by the wife under Section 125 of Code of Criminal Procedure are already pending in the Court at Bhiwani.

That apart, it is stated that applicant, being a destitute wife,

would be put to inconvenience for travelling 54 kms from her residence which is situated at village Gopalwas, Tehsil Loharu, District Bhiwani to Hisar.

3. In the application, bald allegation to kill the applicant-wife has also been made on the ground that respondent-husband has threatened to kill the applicant when she will come to attend the Court proceedings at Hisar. Apart from that allegation, there is nothing on record to show that respondent-husband ever threatened the wife. On the contrary, perusal of the petition under Section 13 of the Hindu Marriage Act instituted by the respondent-husband reveals that husband has reproduced the detailed transcript between the wife and his mother-in-law, where allegedly they are having some conversation to kill the respondent-husband. Be that as it may, it is not for this Court to go into these allegations made against husband-wife and are left open to be decided by the competent court.

4. After hearing learned counsel for the parties, I am of the view that the alleged inconvenience pleaded by the applicant-wife is completely baseless as the distance between Family Court at Bhiwani about 54 kms as against 51 kms at Hisar. In the premise, there cannot be any inconvenience in travelling. In any case, in order to compensate the applicant-wife in the alleged inconvenience, it is directed that the respondent-husband shall pay travelling expenses to the wife on her producing the bill of transport expenses borne by her, to attend the Court

proceedings at Family Court, Hisar. It is also made clear that the applicant-wife shall be at liberty to travel by any mode of transport.

5. Transfer petition stands disposed of in above said terms.

(ARUN MONGA)
JUDGE

JANUARY 09, 2020
shalini

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| 1. | Whether speaking/reasoned : | Yes/No |
| 2. | Whether reportable : | Yes/No |