

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

T.A NO. 458 OF 2019

DATE OF DECISION : 07.02.2020

Mumtaj

...Applicant

versus

Anirudh

...Respondent

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Ms. Vandana Sharma, Advocate for
Mr. Rajesh Lamba, Advocate,
for the applicant.

None for the respondent.

ARUN MONGA, J. (ORAL)

This petition has been filed by the applicant-wife seeking transfer of a petition filed by her husband under Section 13 of the Hindu Marriage Act, 1955, bearing No. 50/2019 titled as "Anirudh v. Mumtaj" from the Court of Principal District Judge, Family Court, Karnal to any other Court of competent jurisdiction at Gurugram.

2. Learned counsel for the applicant submits that applicant is a regular student of Bsc. Nursing at Gurgaon. It is very difficult for her to travel 156 kms from Gurgaon to Karnal as she cannot afford to miss her college.

3. Learned counsel for the applicant further submits that earlier a petition for dissolution of marriage by decree of divorce by mutual consent under Section 13(b)(1) of the Hindu Marriage Act, 1955, was filed but later on the respondent withdrew his consent and the said petition was disposed of vide order dated 20.07.2018 passed by Family Court, Bhiwani.

4. Despite service, no one has put in appearance on behalf of the respondent. It seems that he has no objection to transfer of the petition.

5. I have heard learned counsel for the applicant and have gone through the records of the case.

6. Since the applicant is studying B.Sc. Nursing at Gurugram, it would be proper, appropriate and in the interest of justice if the case is tried and decided at Gurugram.

7. In the premise, present application is allowed. The petition in question pending before the Court of Principal District Judge, Family Court, Karnal is ordered to be withdrawn from that Court and is transferred to District Judge, Gurugram for its disposal in accordance with law by the Court concerned.

(ARUN MONGA)
JUDGE

FEBRUARY 07, 2020
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| 1. | Whether speaking/reasoned : | Yes/No |
| 2. | Whether reportable : | Yes/No |