

**Sr. No.206
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**TA No.491 of 2019 (O&M)
Date of Decision: 11.02.2020**

Priya

... Applicant

Versus

Nikhil Gupta

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Ms. Supriya Garg, Advocate,
for the applicant.

Mr. Surya Kumar, Advocate,
for the respondent.

ARUN MONGA, J.(ORAL)

1. Applicant-wife seeks transfer of petition filed by the respondent-husband under Section 13 of the Hindu Marriage Act, 1955 titled as "Nikhil Gupta Vs. Priya" pending in the Court of District Judge, Ludhiana to the Court of competent jurisdiction at Chandigarh.

2. Learned counsel for the applicant submits that the applicant-wife is residing at Shivalik Vihar, Zirakpur, District S.A.S. Nagar, Mohali. The distance between Ludhiana and Mohali is about 99 Kms. She further submits that respondent-husband is running the business of Software Development at Mohali while residing in Chandigarh.

3. Learned counsel for the respondent opposes the transfer application on the issue of jurisdiction by saying that applicant-wife is residing at Zirakpur, S.A.S. Nagar, Mohali and

seeking transfer of petition from Ludhiana to Chandigarh.

4. I have heard learned counsel for the parties and have gone through the record of the case.

5. The case pending between the parties is aftermath of matrimonial discord. Keeping in view the conceded position as reflected from para 2 of the petition under Section 13 of the Hindu Marriage Act, 1955 filed by the respondent-husband wherein he stated that his current place of residence is Mohali/Zirakpur and also the prayer made by the applicant-wife vide CM No.23900-CII of 2019 for transferring the case from Ludhiana to S.A.S. Nagar, Mohali instead of Chandigarh, the present application deserves to be allowed.

6. The petition in question pending before the Court of District Judge, Ludhiana is ordered to be withdrawn from that Court and is transferred to the District Judge, Mohali for its disposal in accordance with law by the Court concerned.

7. Pending application, if any, shall stand disposed of.

(ARUN MONGA)
JUDGE

11.02.2020

vandana

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No