

TA-410-2020

Decided on :September 1, 2020

Kiran

... Petitioner(s)

Versus

Balwan and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ajay Kumar Kansal, Advocate, for the petitioner.

MANJARI NEHRU KAUL, J. (Oral)

This is an application under Section 24 of the CPC for transfer of the petition under Section 13 of the Hindu Marriage Act, 1955 which was filed by the respondent-husband and is pending in the Family Court at Kaithal.

Learned counsel for the petitioner is seeking transfer from Kaithal to Jind on the ground that it would be inconvenient for the petitioner to attend the proceedings and since a case already stands instituted under the Domestic Violence Act at Jind, both the cases could be heard together.

I have heard learned counsel for the petitioner. No ground for transfer of the petition filed under Section 13 of the Hindu Marriage Act, 1955 is made out. The reliance placed by learned counsel for the petitioner on the judgment of the Apex Court rendered in **Bhartiben Ravibhai Rav Vs. Ravibhai Govindbhai Rav, 2017(3) RCR (Civil) 369**, would not help the case of the petitioner, as in the said case, the parties were residing at a distance of 900 K.Ms from each other, whereas, in the instant case, the parties are residing in neighbouring cities. Further, the petition under Section 13 of the Hindu Marriage Act, was filed prior in time at Kaithal and the petition under the Domestic Violence Act, was instituted much later.

The Transfer Application is dismissed.

(MANJARI NEHRU KAUL)
JUDGE

September 1, 2020

*archana**Whether speaking/reasoned: Yes/No**Whether Reportable: Yes/No*ARCHANA ARORA
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I attest to the accuracy and
integrity of this document