

In the High Court of Punjab and Haryana at Chandigarh

(Proceedings conducted through Video Conference)

TA No. 609 of 2020

Date of Decision: 21.12.2020

Smt. Vandana Sharma

---Applicant

versus

Amit Kumar

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr. P.S.Jammu, Advocate
for the applicant**

Rekha Mittal, J.

Ms. Vandana Sharma, respondent in divorce petition pending before the Additional Principal Judge, Family Court, Ghanaur, District Sonipat, has invoked Section 24 of the Code of Civil Procedure seeking transfer of the aforesaid petition from Ghanaur to Hisar.

Counsel for the applicant would argue that earlier the respondent filed divorce petition at Rohtak. The applicant filed an application for transfer of the said petition wherein interim order was passed by this Court and eventually, the petition was transferred from Rohtak to Hisar, vide order dated 19.3.2019. Later, the respondent withdrew that application and filed the instant petition at Ghanaur. It is further argued that applicant has no source of income and it is difficult for her to travel from Hisar to Ghanaur, distance between two places is approximately 100 Kms, one side.

Perusal of the order dated 19.3.2019 would reveal that it was

one of the contentions of the applicant that she is taking care of minor daughters of the parties. The said situation has changed as the children are stated to be in custody of respondent-husband. The respondent is stated to be working as a Lecturer in school. The applicant can claim maintenance and expenses of litigation etc. for attending the Court at Ghanaur. On the contrary, in case the respondent is compelled to attend the proceedings at Hisar, it would not only cause inconvenience to the respondent in attending to his duty as a school Lecturer but also inconvenience for minor daughters of the parties, looked after by the respondent-husband. In the given circumstances, the applicant can not derive any advantage to her contention from order dated 19.3.2019 nor is entitle to seek transfer of the divorce petition. However, in case the applicant files an application for maintenance pendente lite and expense of travelling, the same shall be decided by the court concerned, within a period of two months from the date of its filing.

Disposed of.

(Rekha Mittal)
Judge

21.12.2020

PARAMJIT

Whether speaking/reasoned : Yes

Whether reportable : Yes/No