

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

TA-601-2021 (O&M)

Date of decision: 28.09.2021

Natasha

...Petitioner

Versus

Sunil Kumar

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.P.K.Kapila, Advocate for the petitioner

Mr. Mayank Gupta, Advocate for the respondent

ANIL KSHETARPAL, J (Oral)

The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

This is wife's petition under Section 24 of the Code of Civil Procedure, 1908, seeking the transfer of the proceedings in petition filed under Section 9 of the Hindu Marriage Act, 1955, bearing no. 265/2021 titled as 'Sunil Kumar vs. Natasha' pending in the Court of Principal Judge, Family Court, Camp at Tohana, District Fatehabad, to the Court of competent jurisdiction at Bathinda.

The petitioner claims that the distance between Tohana and Bathinda is 150 kms and it is very difficult for her to attend the court proceedings at Tohana.

Per contra, learned counsel representing the respondent contends that mere convenience of the wife cannot be a ground to transfer the proceedings. He contends that the petitioner is serving as a Teacher in a convent school.

This Court has considered the submissions and perused the

paper book. The petitioner and the respondent are doing their jobs. The petitioner (wife), due to marital discord, is presently residing with her parents at Bathinda, which is at a distance of 150 kms from Tohana.

In view of the aforesaid, the transfer application is allowed.

It is directed that the proceedings in the petition filed under Section 9 of the Hindu Marriage Act, 1955, bearing no. 265/2021 titled as 'Sunil Kumar vs. Natasha' pending in the Court of Principal Judge, Family Court, Camp at Tohana, District Fatehabad, be transferred to the Court of competent jurisdiction at Bathinda. The transferor court is directed to remit the file of the case to the transferee court forthwith. The parties through their counsel are directed to appear before the District & Sessions Judge, Bathinda on 14.10.2021, who shall either try the case himself or assign the same to the court of competent jurisdiction in the District.

All the pending miscellaneous applications, if any, are also disposed of.

28.09.2021

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE