

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

207

TA-660-2021 (O&M)

Date of decision: 19.08.2021

RAVNEET KAUR

..Petitioner

Versus

RAJSANDEEP SINGH

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Veneet Sharma, Advocate for the petitioner.

Mr. Raman Mahajan, 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.

Through this application, the petitioner (wife) prays for transferring the petition filed by the respondent under Section 13 of the Hindu Marriage Act, 1955, bearing HMA No.272/2021 titled as Dr. Rajsandeep Singh Vs. Dr. Ravneet Kaur, from the Court of the Additional District Judge, Chandigarh, to the Court of competent jurisdiction at Amritsar.

It has been pointed out that two petitions are already pending at Amritsar. First petition is filed under the Section 125 Cr.P.C. for grant of maintenance whereas second petition is filed under Section 12 of the Protection of Women from Domestic Violence Act, 2005. It has further been pointed out that petitioner's father has undergone a heart surgery and the petitioner who is a qualified doctor is required to take care of him.

Per contra, learned counsel representing the respondent has prayed that since both the parties are qualified doctors therefore, efforts must

be made to reconcile the dispute. He further contends that the provision for transferring the case is only for poor and uneducated wives and not for the qualified doctors.

This Bench has considered the arguments of learned counsel for the respondent. Section 24 of the Code of Civil Procedure, 1908, does not make any distinction between the educated and uneducated persons. As already noted, the respondent is already defending two petitions at Amritsar. The distance between Chandigarh and Amritsar is approximately 250 kms.

Keeping in view the aforesaid facts, the petition is allowed. The case titled as 'Dr. Rajsandeep Singh Vs. Dr. Ravneet Kaur' pending in the Court of the Additional District Judge, Chandigarh is ordered to be transferred to the Court of competent jurisdiction at Amritsar. The transferor Court is requested to remit the case file to the transferee Court forthwith. The parties are directed to appear before the District Judge, Amritsar on 06.09.2021, who will either decide the matter himself or assign it to the Court of competent jurisdiction at Amritsar. The respondent shall be at liberty to request the various Presiding Judges of the different Courts to adjourn the cases on a common date of hearing to avoid inconvenience.

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

19.08.2021

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)

JUDGE