

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

TA-156-2021

Date of decision: 30.03.2022

Krishna

.....Petitioner

versus

Vimal

.....Respondent

**CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH**

**Present:** Mr. Sarabjit Singh, Advocate for  
Mr. Parminder Singh, Advocate  
for the petitioner.

**FATEH DEEP SINGH, J.**

The applicant/petitioner-Krishna wife of respondent-Vimal has filed this application under Section 24 read with Section 151 of CPC seeking transfer of the petition under Section 13 (1) (1A & 1B) of the Hindu Marriage Act (Annexure P-1) i.e. DMC/55/2021 titled as 'Vimal versus Krishna' pending in a Court of Principal Judge, Family Court, Sonapat to the Competent Court of jurisdiction at Karnal/Principal Judge, Family Court, Karnal.

Upon hearing Mr. Sarabjit Singh, learned counsel for

the petitioner and on perusal of the records admittedly both the wife and the husband have earlier dissolved their marriages and entered into second wedlock with each other and which too, could not be carried on. The primary claim of the wife is that a number of cases, details of which are as under :-

- i) FIR No.95 dated 18.03.2020 under Sections 323, 34, 498-A, 506 of the IPC lodged at Police Station Madhuban, District Karnal.
- ii) Complaint under Sections 12, 17, 18, 19 and 20 of Protection of Women from Domestic Violence Act pending in the Court of Area Magistrate, Karnal.

are pending between them at a Court in Karnal and, therefore, wants the case under the HMA to be transferred to the Court at Karnal. It needs to be taken judicial notice that distance between Karnal and Sonipat is not too great and can be easily traversed on account of both the cities being located on the main GT road where availability of transport, public as well as private is readily available.

Keeping in view the relative distance between the two places and without there being any substantial ground spelled out in the application by the wife, is no reason to transfer the petition as per her whims and fancies and rather the claim is more based on emotional pleas than of any legal justification.

This Court does not find any merit and the present petition stands dismissed in limine.

30.03.2022  
*Neha*

(FATEH DEEP SINGH)  
JUDGE

Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No