

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHAHDIGARH
(through video conferencing)

TA-205-2022

Date of decision: 14.03.2022

Charanjit Kaur

.... Petitioner

Versus

Balkar Singh

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Tribhawan Singla, Advocate
for the petitioner.

Manjari Nehru Kaul, J. (Oral)

By filing instant petition under Section 24 of CPC for transfer of petition under Section 10 of Hindu Marriage Act filed by the respondent titled as Balkar Singh vs. Charanjit Kaur from the Principal Judge, Family Court, Patiala to the Court of competent jurisdiction at Sangrur.

The sole submission for seeking transfer of the case in question made by learned counsel for the applicant is that threats have been extended to the applicant and hence, it would be unsafe for her to travel to Patiala on each and every date of hearing in the petition filed under Section 10 of Hindu Marriage Act. Besides this, learned counsel also submits that two other cases i.e. petition under Section 12(1) of the Protection of Women from Domestic Violence Act, 2005 and petition under Section 125 Cr.PC are already pending at Sangrur. Learned counsel submits that in the circumstances the applicant would be put to lot of inconvenience to travel all alone to Patiala from Sangrur on each and every date of hearing.

Heard learned counsel and perused the relevant material on record.

The distance between Patiala and Sangrur is not more than 60 kms and there are excellent transport facilities between the two places. Besides this, it is not disputed by learned counsel for the applicant that two petitions filed under Section 125 Cr.PC and Section 12(1) of Protection of Women from Domestic Violence Act, 2005 were instituted much after the institution of petition filed under Section 10 of Hindu Marriage Act filed by the respondent.

Still further, qua the alleged threats extended to the applicant by the respondent-husband, she has failed to bring to the notice of this Court any representation/complaint made to the authorities concerned.

As a sequel to above, no ground is made out to transfer the petition filed under Section 10 of Hindu Marriage Act. Accordingly, the present petition stands dismissed.

14.03.2022
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/non-speaking?	Yes/No
Whether reportable?	Yes/No