

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

TA 240 of 2022 (O&M)

Date of Decision: March 28, 2022

Monika Devi ...Petitioner

Versus

Hemant Kumar

... Respondents

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

Present : Ms. Heena Verma, Advocate  
for the petitioner.

**FATEH DEEP SINGH, J. (Oral)**

Petition under Section 13 of the Hindu marriage Act

(in short '**the Act**') bearing No. HMA/1185/2021 (Annexure P-1)

titled as **Hemant** Vs. **Monika Devi** is pending between

husband Hemant Kumar then petitioner now respondent herein

and Monika Devi now applicant/petitioner before the Principal

Judge (Family Court), Ambala. The wife has come up in this

petition claiming that she is a resident of Chandigarh (U.T.) and

that the matter is pending in a Court at Ambala and the same be

transferred to Chandigarh to facilitate her attending the hearing

besides the fact she has a two year old child out of this wedlock whom she is supposed to look after.

Heard Ms. Heena Verma, Advocate for the petitioner and perused the record.

Admittedly, the petition is pending in a Court of learned Principal Judge (Family Court), Ambala and which is the next city to Chandigarh and approximately is at a travelling distance of 45 minutes by bus and lesser by personal mode of travel. What one could decipher in the absence of any substantial proof that the wife apprehends danger to her life which is totally not established and purely has been raked up to strengthen the plea of this transfer. It has come across to this Court that people have started adopting such a recourse to misuse the process of law to attain sinister design and to which Court should not fall prey to. Apparently, there is nothing which necessitates the petitioner to put in personal appearance in that Court on each and every date of hearing. Being a pure civil matter the petitioner can instruct her counsel accordingly. What

one can come across is that it is nothing but a clever devise to take revenge from the husband and to make him travel. This Court does not feel inclined to show inclination in entertaining the matter and the petition stands dismissed in *limine*.

March 28, 2022  
amit rana

(FATEH DEEP SINGH)  
JUDGE

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