

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

TA-303-2022 (O&M)

Date of decision: 04.04.2022

Nishu Deep

.....Petitioner

versus

Narender Solanki

.....Respondent

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

**Present:** Mr. Sandeep Parkash Chahar, Advocate  
for the petitioner.

**FATEH DEEP SINGH, J.**

Petition under Section 13 (1) (A) of the Hindu Marriage Act, 1955 filed by respondent/husband-Narender Solanki against the present applicant/wife-Nishu Deep had sought annulment of their marriage and which matter was pending before the learned Principal Judge, Family Court, Rohtak.

The wife has come up in this transfer application under Section 24 of CPC seeking transfer of the above said petition from Rohtak to Jhajjar. The primary ground is that the petitioner/wife is a working lady with a minor daughter and feels it difficult to tread the distance between the two places.

Heard learned counsel for the petitioner and perused the records.

The lone ground of the applicant/wife is that she has to

cover distance of about 40 KMs between Jhajjar and Rohtak not much of a distance in this modern era. More so, being a pure simplicitor civil matter, presence of the petitioner on each and every date of hearing is not very much necessary and essential and can give instructions to her counsel as and when necessitated. Even it is well established on the records that husband too, is gainfully employed and, thus, cannot be expected to attend the hearings and in this era, the principle of equality of sexes does not bear that the husband alone needs to cover the distance and even wife is expected to bear the travelling travails. It is a matter of common knowledge that most of the transfer applications come from the wife and the primary ground is that the wife has to attend the Court hearing from a distance and which is not a *bonafide* ground for transfer of the matter. It is only in rare of the cases with exceptional hardship that the Court needs to show indulgence. A mere 40 KMs distance is no ground to come up before this Court seeking transfer of the petition.

This Court does not feel inclined to entertain the application and, thus, the same stands dismissed in limine.

(FATEH DEEP SINGH)  
JUDGE

04.04.2022

Neha

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