

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

TA-374-2022

Date of decision: 20.04.2022

Sheetal Verma

.....Petitioner

versus

Gagandeep Verma

.....Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Arvinder Singh, Advocate
for the petitioner.

FATEH DEEP SINGH, J.

In this application under Section 24 of CPC, the petitioner/wife-Sheetal Verma has sought transfer of divorce petition bearing No. HMA/2471/2021 titled as 'Gagandeep Verma versus Sheetal Verma' under Section 13 of the Hindu marriage Act, 1955 pending in a Court of Principal Judge, Family Court, Ludhiana to the Court at Fatehgarh Sahib, where she claims to be the resident.

The primary grouse of the wife is the relative distance between the two places and which, admittedly, is around 60 KMs not much in this advanced age of the means of transport available to the poor and the rich alike. It is there on the records that the wife had registered criminal case against the husband for criminal breach of trust, cruelty *et cetera* besides a criminal complaint dated

09.03.2022 under Section 12 the Protection of Woman from Domestic Violence Act, 2005. It is there on the records that the couple has not given any birth out of this wedlock and the wife claims to be residing with her mother at her parental home. It is the husband who had instituted divorce petition under Section 13 of the Hindu Marriage Act, 1955 in September, 2021 followed by the wife's salvo having been fired in August, 2021 by way of FIR (Annexure P-2) and complaint under Domestic Violence Act in the year 2022 are itself suggestive of the element of one upmanship. Merely because the husband has sought the divorce against the wife and there is no pleading much less anything substantial put forth in her submissions at the preliminary hearing as to what were the extraordinary circumstances necessitating intervention by this Court which is a rarity, from the submissions of the counsel for the petitioner, this Court is not convinced that there is any *bonafide* reasons for acceding to this prayer and, thus, the petition being without merits, stands dismissed.

(FATEH DEEP SINGH)
JUDGE

20.04.2022

Neha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No