

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

TA No.382 of 2022

Date of decision: 25th April, 2022

Abhishek Narula

... Applicant

Versus

Savita

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Neeraj Kumar Narula, Spl. Power of Attorney holder
in person.

FATEH DEEP SINGH, J.

Petitioner Abhishek Narula while nestling in Canada has come up with this transfer application through his attorney and father Neeraj Kumar Narula who too is a resident of Canada, for transfer of a petition under Section 12 of the Hindu Marriage Act, 1955 titled 'Abhishek Narula vs. Savita' seeking annulment of marriage moved by the husband against respondent wife Savita from Gurugram to Panchkula.

Heard the applicant in person through his attorney and perused the records of the case.

Though not submitted in the submissions of Neeraj Kumar Narula in person but as is elicited from the records, earlier a similar transfer application No.677 of 2019 titled 'Savita vs. Abhishek Narula' under Section 24 of the CPC was filed between the couple which was got initiated by the wife in which both the parties had appeared and which

was dismissed as withdrawn vide order dated 05.01.2022. Without elaborating that this was the second similar petition, the applicant has come up in this matter. Since the petitioner is resident of Canada and has nowhere claimed that he is made to appear before the Court in India and being a civil matter it is not at all necessitated.

What this Court could perceive is that it is a feigned attempt to confer a jurisdiction at a place which is otherwise not invested with it. The very transfer application on the face of it smacks of misuse of the process of Court. There being no merit in the present transfer application the same stands dismissed in limine.

(FATEH DEEP SINGH)
JUDGE

April 25, 2022
rps

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