

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

TA No.457 of 2022 (O&M)

Date of decision: 9th May, 2022

Damanjeet Kaur

... Applicant

Versus

Rajinder Singh

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Pankaj Kaushik, Advocate for the applicant.

FATEH DEEP SINGH, J.

Applicant wife has preferred this application under Section 24 CPC seeking transfer of divorce petition bearing HMA No.302/2022 filed on 17.03.2022 (Annexure P1) by respondent husband in the Court of Addl. Principal Judge, Family Court, Karnal titled 'Rajinder Singh vs. Damanjeet Kaur' to the Court of District Judge, Kurukshetra.

Upon hearing Mr. Pankaj Kaushik, Advocate for the applicant and perusing the records of the case. The primary ground that has come about is distance between the two places and inability of the applicant wife to contest the litigation on account of the same. Admittedly, the distance between the two places of Karnal and Kurukshetra which are adjoining to each other is hardly 30 kms and both are situated on the main GT road where facilities of every type of conveyance are readily available. The provisions of Section 24 CPC cannot be so loosely construed so as to empower the wife to choose on

her own the place of jurisdiction of the case. No doubt, the couple is embroiled in number of litigations and instant application is another instrument to harass and humiliate the husband for the wife to draw pleasures out of such a misuse of the process of the Court. There is no justifiable ground for transfer which is to be resorted to in only exceptional circumstances.

The application being without any merit stands dismissed in limine.

(FATEH DEEP SINGH)
JUDGE

May 9, 2022

rps

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No