

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

118

CR-2935 of 2019 (O&M)

Date of decision: 27.10.2022

Babita

...Petitioner

Versus

Sunita

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Ramandeep, Advocate
for the petitioner.

ANIL KSHETARPAL, J (Oral)

The petitioner's application for transferring the proceedings in a suit filed by Sunita Rani from the Court at Nabha to Patiala has been dismissed. Sunita Rani is the wife of brother of petitioner's-husband. She has filed a suit for compensation on account of some assertion made by the petitioner in a petition filed under Section 9 of the Hindu Marriage Act, 1955 for passing of decree of restitution of conjugal rights which is stated to be pending at Patiala.

Though the transfer has been sought on the ground that the Nabha Court has no territorial jurisdiction, however, keeping in view the fact that the petitioner's petition under Section 9 of the Hindu Marriage Act is pending at Patiala and Nabha is also the part of the Patiala District, therefore, the application is allowed. The proceedings in Civil Suit No. 1022/2018 titled as "Sunita Rani Vs. Babita" are transferred from the Court of Additional Civil Judge, Senior Division Nabha to the Court of competent jurisdiction at Patiala. The transferor Court is

requested to remit the file to the Court of the Civil Judge, Senior Division Patiala who will either decide the case himself/ herself or shall assign the case to the competent Court at Patiala.

27.10.2022
joyti

(ANIL KSHETARPAL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No