

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

TA No.557 of 2022 (O&M)

Date of decision: 1st June, 2022

Saloni Anand

... Applicant

Versus

Gaurav Mittal

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Gurdial S. Jaswal, Advocate for the applicant.

FATEH DEEP SINGH, J.

The applicant Saloni Anand has sought through this application under Section 24 CPC transfer of petition filed by the respondent husband under Section 9 of the Hindu Marriage Act, 1955 for restitution of conjugal rights from the Court of learned Principal Judge, Family Court, Kharar to the Court of competent jurisdiction at Chandigarh.

The primary reasons spelled out are the distance between the two places and the inability of the applicant to attend hearings because of a small child under her care and custody.

Upon hearing learned counsel for the applicant and perusal of the records. It is a matter of common knowledge for which this Court can take judicial notice that Kharar has now merged as part of the city of Chandigarh; the husband is living in Sector 125, Mohali and the wife admits to be a resident of Sector 63 Chandigarh which is adjoining sector

to the city of Mohali, and thus, there is not any distance left between the two places and therefore it would be too preposterous a prayer for seeking such a transfer. More so, there is no substantial and overwhelming reason for this Court to accede to this prayer. There being no merit in the instant transfer application, the same stands dismissed in limine.

(FATEH DEEP SINGH)
JUDGE

June 1, 2022
rps

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