

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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T.A. No. 555 of 2019

Date of Decision:23.3.2022

Davinder Kaur @ Davinder Kaur

---Applicant

versus

Pritpal Singh

---Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Dinesh Mahajan, Advocate
for the applicant

Mr. Sandeep Jain, Advocate
for the respondent

MANJARI NEHRU KAUL, J.

The applicant is seeking transfer of a petition under Section 13 of the Hindu Marriage Act, 1955 bearing No. HMA/175/2019 titled "Piratpal Singh vs. Davinder Kaur" (Annexure P-1) filed by the respondent, from Family Court, SBS Nagar to Family Court, Hoshiarpur.

Learned counsel for the applicant submits that another case under Section 498-A IPC is pending before a Court of competent jurisdiction at Hoshiarpur. Hence, this case may also be transferred there as it would be difficult for the applicant to travel to S.B.S.Nagar on each and every date of hearing since the distance between the two places is 65 Kms.

On being put to notice, the respondent entered appearance through his counsel. Learned counsel for the respondent filed reply and vehemently opposed the prayer made by counsel opposite for transfer of the case from S.B.S.Nagar to Hoshiarpur. Learned counsel submits that the

applicant is admittedly not even residing at Hoshiarpur and is in fact living abroad in Italy. It has been submitted that the applicant is pursuing the case at S.B.S. Nagar through her power of attorney, who too is not a resident of said place but is the resident of Kapurthala.

I have heard learned counsel for the parties and perused the relevant material on record.

This court is not inclined to transfer the petition from S.B.S.Nagar to Hoshiarpur as these two places are well connected and no reason is forthcoming as to how the applicant, who admittedly residing in Italy, would be inconvenienced to commute from S.B.S.Nagar to Hoshiarpur.

Dismissed.

(MANJARI NEHRU KAUL)
JUDGE

23.3.2022

PARAMJIT

Whether speaking/reasoned: Yes

Whether reportable : Yes/No