

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

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(Through Video Conferencing)

TA-1068-2021

Date of decision: 22.03.2022

SHIVANI @ SHIVANI GUPTA

.....Applicant

Versus

KAVISH KUMAR

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. S.K. Choudhary, Advocate for the applicant.

MANJARI NEHRU KAUL, J. (ORAL)

The applicant is seeking transfer of a petition bearing No.HMA/569/2021 titled as 'Kavish Kumar Vs. Shivani' filed by the respondent under Section 13 of the Hindu Marriage Act, 1955 which is pending in the Court of learned Principal Judge, Family Court, District SAS Nagar (Mohali) (Annexure P-5), to a Court of competent jurisdiction at Gurdaspur.

Learned counsel for the applicant submits that a petition under Section 125 Cr.P.C. which has been filed by the applicant is pending adjudication before the Court of competent jurisdiction at Gurdaspur. It has also been submitted that the distance between SAS Nagar and Gurdaspur is approximately 250 kms. and hence it would be very difficult for her to commute to SAS Nagar for attending the proceedings in the petition under Section 13 of the Hindu Marriage Act, 1955.

A pointed query was put to the learned counsel as to where the applicant was residing at the moment, to which he submitted that the applicant was residing at Rajpura.

The distance between Rajpura and SAS Nagar is hardly about 35 kms. There are excellent modes of transport between the two places. In the circumstances, this Court does not deem it appropriate to transfer the petition under Section 13 of the Hindu Marriage Act, 1955 to a Court of competent jurisdiction at Gurdaspur.

Dismissed.

22.03.2022

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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