

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

TA-1179-2021

Date of decision: 30.03.2022

Reena Seraik @ Aaradhya

.....Petitioner

versus

Sulabh Chhabra

.....Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Gulzar Mohammed, Advocate
for the petitioner.

FATEH DEEP SINGH, J.

Through this invocation the applicant/petitioner/wife-
Reena Seraik @ Aaradhya has come up with this petition under
Section 24 of CPC for transfer of case bearing No.HMA-34/2021
titled as 'Sulabh Chhabra versus Reena Seriak' under Section 9
MHA pending before the Principal Judge, Family Court camp at
Phagwara, District Kapurthala.

The claim of the wife is purely on the grounds that the
she has filed DMC No.725 of 21.07.2020 titled as 'Reena Seraik
@ Aaradhya versus Sulabh Chhabra' pending in the Family Court

at Jalandhar for seeking decree of divorce (Annexure P-1) while the husband has filed another petition bearing No.HMA-34/2021 under Section 9 of the Hindu Marriage Act (Annexure P-2) pending before the Principal Judge, Family Court, Camp at Phagwara, District Kapurthala.

The petition under Section 9 of the Act is for restoration of the conjugal rights while the other petition is purely to seek decree of divorce between the parties and, therefore, can be independently adjudicated and disposed off and there is no fear of contradictory judgments in the two matters which are to be decided purely on entirely different grounds and, therefore, to the mind of this Court, is no legal and legitimate ground for seeking transfer of the matter pending in a Court in Jalandhar and Kapurthala.

The claim of apprehending threat to life of the wife at the hands of the husband is unsupported, vague and ambiguous without apparently any *iota* of truth and does not convince the Court much and rather is a ploy to strengthen the plea of transfer. It is nothing but a pure misuse of the process of the Court and, therefore, the same stands dismissed.

(FATEH DEEP SINGH)
JUDGE

30.03.2022

Neha

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