

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

105

RA-CR-149-2023 in
TA-948-2023.
Date of Decision: 31.10.2023.

Charanjit Kaur

....Petitioner.

Versus

Karnail Singh

....Applicant/respondent.

CORAM: HON'BLE MR. JUSTICE LALIT BATRA

Present: Mr. Buta Singh Bairagi, Advocate
for applicant/respondent.

Lalit Batra, J.

This review application under Section 114 read with Section 151 CPC has been filed by respondent-husband seeking review of the order dated 09.10.2023, in terms of which, Transfer Application No.948 of 2023 filed by petitioner-wife seeking transfer of petition under Section 9 of the Hindu Marriage Act, was allowed and resultantly petition under Section 9 of Hindu Marriage Act, was transferred by this Court from the Family Court, Camp Court Nihal Singh Wala, Moga to the competent Court of jurisdiction at Camp Court Phul, Bathinda.

2. Learned counsel for applicant/respondent submits that respondent-husband could not appear before this Court during proceedings of transfer application due to mistake and some facts mentioned in the transfer application are not factually correct like distance of Court Complex Phul to Nihal Singh Wala, as said distance was mentioned to be 60-65 kilometers,

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whereas it is about 46 kilometers. He further submits that reply in the transfer application needs to be filed and, thus, applicant/respondent be given an opportunity of effective hearing.

3. I have heard learned counsel for applicant/respondent and have gone through the record of the case.

4. Vide detailed order dated 09.10.2023, application for transfer of petition under Section 9 of the Hindu Marriage Act, was allowed. It is pertinent to mention here that despite service of notice, applicant/respondent chose not to contest the transfer application. Undisputedly, petition under Section 13 of Hindu Marriage Act, against the applicant/respondent is pending at Camp Court Phul, Bathinda. Thus, I do not find any reason or ground for review of the order dated 09.10.2023.

5. In view of above, present review application is dismissed.

(LALIT BATRA)
JUDGE

31.10.2023
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No