

TA-455-2024

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.240

TA-455-2024

Date of Decision: 17.09.2024

SAVITA RANI

....Applicant

Versus

KRISHAN LAL

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Virender Kumar Advocate
for the applicant.

None for the respondent.

ARCHANA PURI, J. (Oral)

As per last order, despite service, respondent had not made appearance. Even today, none has made appearance on his behalf. As such, respondent is proceeded against *ex parte*.

Learned counsel for the applicant heard.

The applicant-wife has filed the present application for seeking transfer of the petition under Section 13 of the Hindu Marriage Act titled '*Krishan Lal Vs. Savita Rani*', filed by the respondent-husband, pending in the Family Court, Faridabad and she seeks transfer of the same to the Court of competent jurisdiction at Karnal.

It is submitted by the counsel for the applicant that marriage between the parties to the lis took place on 11.02.2008. Two children, one

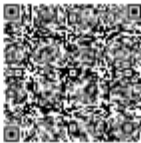


TA-455-2024

daughter and one son, were born from the said wedlock. However, due to matrimonial discord, the parties are residing separate. Also, it is submitted that the applicant is posted as S.S.Mistress at Government High School, Hassanpur, District Karnal. Both the children are presently residing with the applicant, who are studying at Mount Litera Zee School, Karnal and she is managing all the expenses, relating to the accommodation and the education of the children, who are in the age group of 14-15 years.

It is further submitted that the respondent is working in Haryana Police, and is presently posted in Faridabad and therefore, he is wielding his influence at the place, where the divorce petition is pending adjudication. In the given circumstances, it is submitted that it is difficult for the applicant to commute 156 kms, to defend the divorce petition, from the place of her residence, as well as her work place, more particularly, while two school going children are residing with her.

In view of the submissions made aforesaid, considering the well settled position of law about the weightage to be given to the convenience of the wife, in case of transfer applications, relating to the matrimonial dispute, more particularly, considering the distance between the Faridabad and Karnal and also considering the fact of both the school going children residing with the applicant, the application is hereby accepted and the petition under Section 13 of the Hindu Marriage Act titled '*Krishan Lal Vs. Savita Rani*', filed by the respondent-husband, stands transferred from the Family Court, Faridabad to the Court of competent jurisdiction at Karnal. The requisite record of the aforesaid case be sent by the Family Court Faridabad, to District and Sessions Judge, Karnal.



TA-455-2024

Learned District and Sessions Judge, Karnal, shall assign the said petition to the Family Court, Karnal. Even, the parties are directed to appear before the Family Court, Karnal, within a period of one month from today onwards.

17.09.2024
Sonu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No