



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.390

TA-1102-2023
Date of Decision: 29.07.2024

SHEETAL

....Applicant

Versus

BALRAJ SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Vishal Sharda, Advocate
for the applicant.

Respondent-in-person.

ARCHANA PURI, J. (Oral)

The present application has been filed by the applicant-wife, for transfer of the divorce petition bearing *HMA/295/2023 titled "Balraj Singh v/s Sheetal"*, filed at the instance of respondent-husband, from Family Court, Kaithal to the court of competent jurisdiction at Kurukshetra.

In pursuance of the notice issued, respondent has made appearance before the Court today and to prove his identity, he has produced the copy of the Aadhar Card, copy whereof has been retained on the court file.

Respondent has stated that he has no objection, if the present transfer application is allowed.

Heard.

It is submitted by learned counsel for the applicant that petitioner under Section 12 of Domestic Violence Act, filed at the instance of applicant/wife, is already pending in the courts at Kurukshetra.



Moreover, he submits that one FIR under Section 312, 323, 406, 498-A and 506 IPC has been filed before Superintendent of Police, Kurukshetra.

In the given circumstances, it is difficult for the applicant to defend the divorce petition at Kaithal, which is at a distance of about 55 kilometres from her place of residence.

Considering the submissions, so made by the respondent and also considering the fact about convenience of the wife to be taken into consideration, as per the settled law, without prejudice to the rights of the parties to be adjudicated on merits, the instant transfer application, as such, is hereby accepted and the petition under Section 24 CPC i.e. “HMA/295/2023 titled “Balraj Singh v/s Sheetal”, filed at the instance of respondent-husband, stands transferred from the Family Court, Kaithal, to the Court of competent jurisdiction at Kurukshetra. The requisite record of the aforesaid divorce petition shall be transferred by the Family Court, Kaithal to District and Sessions Judge, Kurukshetra.

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

29.07.2024
Sonu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No