

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

Sr. No.117

TA-1094-2023

Date of Decision: 26.09.2024

CHETAN REKHI

....Applicant

Versus

GURPAL SINGH

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. C.L. Verma, Advocate, for
Mr. Abhay K. Sharma, Advocate
for the applicant.

Ms. Jagdeep Kaur, Advocate, for
Ms. Tardeep Kaur, Advocate
for the respondent.

ARCHANA PURI, J. (Oral)

The applicant-wife has filed the present application for seeking transfer of the petition under Section 13 of the Hindu Marriage Act i.e. HMA/161/2023, titled '*Gurpal Singh Vs. Chetan Rekhi*', filed by the respondent-husband, pending in the Family Court, Kapurthala and she seeks transfer of the same to the Court of competent jurisdiction at Phagwara, District Kapurthala.

In pursuance of the notice issued, the respondent has made appearance through counsel. However, reply is not intended to be filed.

Learned counsel for the parties heard.

It is submitted by the counsel for the applicant that the marriage between the parties to the lis, had taken place on 23.02.2021. However, no child was born from the said wedlock. The divorce petition is pending at Kapurthala and the applicant is residing at Phagwara, which is at a distance

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of about 55 kilometres.

On the other hand, the counsel appearing on behalf of the respondent has given a statement that the respondent has no objection, if the divorce petition is transferred from Kapurthala to Phagwara.

Considering the settled position of law about weightage to be given to the convenience of the wife, in case of transfer applications, relating to the matrimonial dispute, more particularly, considering the statement given by the counsel appearing on behalf of the respondent, the applicant is hereby accepted and the petition under Section 13 of the Hindu Marriage Act i.e. HMA/161/2023, titled '*Gurpal Singh Vs. Chetan Rekhi*', filed by the respondent-husband, stands transferred from the Family Court, Kapurthala, to the Court of competent jurisdiction at Phagwara. The requisite record of the aforesaid case be sent by the Family Court, Kapurthala, to the District and Sessions Judge, Kapurthala.

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

26.09.2024

Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No