



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

Sr. No.114

TA-1099-2024

Date of Decision: 20.12.2024

MOHIT BANSAL

....Applicant

Versus

TANVI SINGLA AND OTHERS

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present:- Mr. Sandeep Sharma, Advocate
for the applicant.

Mr. Gaurav Grover, Advocate
for respondent No.1 (sole contesting respondent).

ARCHANA PURI, J. (Oral)

The applicant-husband has filed the present application for seeking transfer of the complaint bearing No.100 of 2024, titled '*Tanvi Singla Vs. Mohit Bansal*', filed by the respondent-wife, which is pending in the Courts at Fatehabad and he seeks transfer of the same to the Court of competent jurisdiction at Rohtak.

Upon notice issued, the respondent made appearance through counsel and filed reply.

The counsel for the parties heard.

At the very outset, it is submitted by the counsel that the applicant is a resident of Baltana, SAS Nagar (Mohali) and respondent No.1 is a resident of Bhuna, Tehsil and District Fatehabad (Haryana). Also, it is submitted that earlier, the applicant had filed the petition under Section 9 of the Hindu Marriage Act i.e. HMA/122/2020 at Dera Bassi. However, transfer application i.e. TA-175-2021, was filed by the respondent, for



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seeking transfer of the petition under Section 9 of the Hindu Marriage Act from Derabassi to Fatehabad. However, considering the distance between the two places and also considering the medical ailment of the applicant, this Court vide order dated 02.05.2022, copy whereof is Annexure P-5, had transferred the said petition from Derabassi to Rohtak, which was approximately equi-distant for both the sides. Likewise, it has been brought to the notice of the Court that another petition under Section 12(i)(c) of the Hindu Marriage Act, was filed by the respondent/wife, at Fatehabad and for seeking transfer of the same, the transfer application i.e. TA-810-2023 was filed by the applicant. Vide order dated 29.08.2023, copy whereof is Annexure P-6, the said petition was also transferred to the Courts at Rohtak. Also, it has been pin-pointed by the counsel for the applicant that the said order was assailed by the respondent before Hon'ble Supreme Court and vide order dated 09.10.2023, copy whereof is Annexure P-7, the said SLP was dismissed.

In the given circumstances, it is further submitted that the applicant is suffering from eye problem called '*Retinitis Pigmentosa (RS)*'. As such, a prayer has been made for transfer of the complaint in hand to the Courts at Rohtak, more particularly, considering the two cases already having been transferred to Rohtak Courts, which are being pursued/defended, by both the sides.

On the other hand, the counsel for respondent No.1, while making reference to the reply filed, has submitted that the applicant is in a very well position, to defend the litigation from the place, where he is residing. It is submitted that in fact, reference to the two cases, which have been transferred to the Rohtak Courts, has been made, but they are at the fag



end and can be decided at any time.

In view of the rival submissions and taking into consideration the fact of two cases arising from the matrimonial dispute, out of which one was filed by the applicant and the other by the respondent, have since been transferred to the Court of competent jurisdiction at Rohtak and one of the order passed in the transfer application, has since been endorsed by Hon'ble Supreme Court, considering the distance between the two places and also balancing the convenience of both the parties, the transfer application is allowed and the complaint bearing No.100 of 2024, titled '*Tanvi Singla Vs. Mohit Bansal*', filed by the respondent-wife, stands transferred from the Courts at Fatehabad, to the Court of competent jurisdiction at Rohtak. The requisite record of the aforesaid case be sent by the Court concerned, to the District and Sessions Judge, Rohtak.

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

20.12.2024
Himanshu

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : Yes/No