

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

TA 114 of 2021 (O&M)

Date of Decision: April 29, 2022

Sunita Devi ...Applicant

Versus

Amrit Lal

... Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Sanjiv Patiyal, Advocate
for the applicant.

None for the respondent.

FATEH DEEP SINGH, J. (Oral)

Husband Amrit Lal the present respondent had instituted against the then respondent now applicant Sunita Devi wife a petition under Section 13(i)(b) of the Hindu Marriage Act, 1955 titled as "**Amrit Lal Vs. Sunita Devi**" seeking dissolution of their marriage by decree of divorce. It is as a consequence of which the present transfer application has been preferred by the wife under Section 24 CPC seeking transfer of this divorce

petition (Annexure P-2) from the Court at Panchkula to U.T. Chandigarh.

Heard Mr. Sanjeev Patial counsel for the applicant and perused the records.

The marriage between the couple took place on 14.10.2006 and out of which two children a daughter aged around 12 years and a son aged around 10 years were born to the couple. It is subsequent thereto the marriage did not last and that is how these wranglings have come about.

The husband admittedly is a constable in the Haryana Police while the wife is a house wife. The primary reasons for the wife to get this matter transferred is that it was difficult for her and not convenient to attend the hearings in Panchkula on each and every date of hearing in view of the fact that her husband is a police constable. It needs to be referred here that the city of Panchkula and Chandigarh are adjoining to each other and alongwith Mohali are termed as tri-city and are interconnected and there is not much of a difference between

the two what to talk of the distance which could be a cause for inconvenience and hardship for the wife. It needs to be kept in mind the provisions of Section 24 of the CPC cannot be so loosely construed so as to come to the aid of the wife on frivolous and flimsy reasons for getting the matter transferred.

The petition is nothing but a pure misuse of the process of the law and there being no merits stands dismissed.

April 29, 2022

amit rana

(FATEH DEEP SINGH)

JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No

सत्यमेव जयते

