

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

TA 328 of 2022 (O&M)

Date of Decision: April 01, 2022

Rinky Rani ...Petitioner

Versus

Daljit Kumar ... Respondent

CORAM : HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present : Mr. Ritesh Aggarwal, Advocate
for the petitioner.

FATEH DEEP SINGH, J. (Oral)

The applicant Rinky Rani wife after her matrimonial dispute with the husband Daljit Kumar had led the parties to these multifarious claims and counter claims against each other. It is the own case of the wife that she is a resident of Nabha in District Patiala and had moved a complaint against husband before the police at Patiala and after the parties resolved their dispute had again fallen apart and which led to instituting of a petition under Section 9 of the Hindu Marriage Act for restitution of conjugal rights bearing No. HMA 1333 of 2021 titled as **Daljit**

Kumar Vs. Rinky Rani filed by the husband which is pending before the Court of Additional Principal Judge, Family Court, Amritsar.

No doubt, the couple has two daughters aged 12 years and 8 years and it is also there that wife is residing with her parents and thus not much of a cause for the wife unable to look after the children.

In this modern era, there is a clamour for equity of sexes and merely because the applicant is a wife, the Court should not be swayed by emotions tilting towards fairer sex. What one could decipher that the husband is a dealer while the wife is a house wife and by making the husband attend the proceedings at a far off place by virtue of this transfer plea has been put forth would further be a cause of harassment to the husband who is already seeking restitution of conjugal rights. The wife cannot be allowed to take undue benefit of her own wrongs and rather the present petition is nothing but a sweet revenge by the wife to force the husband not to seek his rights

under the law and more so the invocation of a jurisdiction under Section 24 of the CPC is not to be rightly inferred unless and until there are bonafide compelling reasons for the Court to come to the aid of the applicant.

There being no merits, the petition stands dismissed in limine.

April 01, 2022
amit rana

(FATEH DEEP SINGH)
JUDGE

Whether reasoned/speaking : Yes/No
Whether reportable : Yes/No

सत्यमेव जयते

