

Rajwinder Kaur vs Balwinder Singh on 15 January, 2001

Equivalent citations: I(2001)DMC685SC, (2003)11SCC726

Author: S.P. Bharucha

Bench: S.P. Bharucha

ORDER

1. This is a transfer petition by the wife. She seeks the transfer of matrimonial proceedings filed by the husband before the District Judge, Barmer, Rajasthan to a if Court in Chandigarh. It is, the wife's case that she cannot travel alone from Chandigarh, where she now stays, to, Barmer which is about 700 kilometres away. She cannot leave her four- year-old daughter, who is otherwise also unwell, during the time she, would have to go to Barmer. She is also in financial difficulties because no maintenance is being paid to her. The only defence that is placed before us on . behalf of the husband is that the transfer may be effected to a Court in Ambala because the husband is now stationed at Purulia.

2. Having regard to the averments made in the transfer petition, which are not really disputed/it is appropriate to make the petition absolute.

3. Accordingly, the transfer petition is allowed. H.M.A. No. 63 of 2000 pending before the District Judge, Barmer, Rajasthan shall stand transferred to the Court of the District Judge, Chandigarh, who may hear it himself or assign it for hearing to an appropriate Forum.

No order as to costs.