

T.A. No. 710 of 2013 [O&M]
Date of Decision : February 4th, 2015

Neelam Petitioner

Versus

Anil Kumar Respondent

CORAM : HON'BLE MR. JUSTICE DR. BHARAT BHUSHAN PARSOON

Present Mr. Harish Mehla, Advocate,
for the petitioner.

None for the respondent.

Dr. BHARAT BHUSHAN PARSOON, J.

Neither the respondent was present nor any reply to the transfer application was filed on 6.10.2014. Even today, position remains the same. Despite many calls, no one is present on behalf of the respondent. He is proceeded against *ex parte*.

2. Counsel for the wife, petitioner herein, seeks transfer of petition under Section 13 of the Hindu Marriage Act, 1955 (for short, the Act) filed by the husband, respondent herein, at Patiala as the petitioner-wife is residing at her parental home in Kaithal. It is claimed that distance between two cities is approximately 150 Kms and it is very difficult for the petitioner-wife to manage and pursue the proceedings competently and effectively in the petition filed under Section 13 of the Act at Patiala by travelling from Kaithal to attend the dates of hearing in the said petition.

3. It is also urged that the petitioner-wife has also filed a petition under Section 12 of the Protection of Women Domestic Violence Act, 2005 [for short, "2005 Act"] and another application Under Section 23 of 2005 Act against the respondent-husband seeking interim maintenance, which are pending adjudication at Kaithal.

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4. In view of the submissions made by counsel for the petitioner, as also the circumstances explained in the petition, the request is allowed.

5. Sequelly, the petition under Section 13 of the Act pending before District Judge, Patiala is transferred to the Court of District Judge, Kaithal. Both the concerned Courts to comply.

6. Disposed of accordingly.

7. Copy Dasti on usual charges.

(Dr. BHARAT BHUSHAN PARSOON)
JUDGE

February 4th, 2015
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