

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

206

TA No.375 of 2015(O&M).
Date of Decision: 14.10.2015.

Seema

....Petitioner.

VERSUS

Rajiv Kumar

....Respondent.

CORAM: HON'BLE MRS. JUSTICE SNEH PRASHAR.

Present: Mr. Parminder Singh Kanwar, Advocate for the petitioner.

Mr. Sukhbir Mandi, Advocate for the respondent.

SNEH PRASHAR, J.

CM No. 11027-CII of 2015

Allowed as prayed for.

TA No.375 of 2015

The petitioner-wife invoking the provisions of Section 24 of the Code of Civil Procedure has sought transfer of the petition under Section 9 of the Hindu Marriage Act, 1955 filed by respondent-husband, from the Court of Family Court, Nawanshahar to any other court of competent jurisdiction at Hoshiarpur.

Power of Attorney on behalf of the respondent has been filed. Learned counsel for the respondent submitted that as per instructions from the respondent he has no objection to the transfer of the petition from the Court of Family Court, Nawanshahar to any other Court of competent jurisdiction at Hoshiarpur as per prayer made by the petitioner in the instant petition.

Otherwise also, as submitted by learned counsel for the petitioner, a petition filed by the petitioner against the respondent under Section 125 Cr.P.C. for maintenance is already pending before the Court of Sh. Amrinder Pal Singh, Chief

Judicial Magistrate, Hoshiarpur. The two minor children born out of the wedlock of the parties, are also in custody of the petitioner-wife. Therefore, it is indeed, inconvenient for the petitioner to attend the hearings before the Court at Nawanshahar to defend the petition filed by the respondent.

Accordingly, the petition under Section 9 of the Hindu Marriage Act, 1955 pending before Family Court, Nawanshahar is withdrawn from the said Court and is transferred to the Court of competent jurisdiction at Hoshiarpur. The file shall be sent by the trial Court to the Court of District and Sessions Judge, Hoshiarpur within two weeks from the date of receipt of copy of this order, who will either keep the petition himself/herself or will entrust the same to any other Court of competent jurisdiction at Hoshiarpur.

The parties are directed to appear before the District Judge, Hoshiarpur on 26.11.2015

(SNEH PRASHAR)
JUDGE

14.10.2015
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