

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

**Transfer Application No.275 of 2014
Date of decision : 05.05.2015**

Jyoti

....Petitioner

versus

Gaurav Neb

...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Bhriugu Dutt Sharma, Advocate,
for the petitioner.

Respondent in person.

RITU BAHRI, J.

Prayer in this petition is for transfer of Hindu Marriage Application No.29377, instituted on 14.03.2013, titled as 'Gaurav Neb Vs. Jyoti' filed by the respondent-husband under Section 9 of the Hindu Marriage Act from the Court of Civil Judge (Senior Division), Jalandhar to the competent Court of jurisdiction at Ferozepur.

The marriage of the petitioner was solemnized with Gaurav Neb-respondent on 14.04.2009 at Ferozepur. Out of this wedlock, one daughter namely Joshika was born on 25.07.2010 and son namely Kavish was born on 19.10.2011. After the birth of son, due to misunderstandings, the parties have separated from each other. Thereafter, the petitioner-wife filed a petition under Section 125 Cr.P.C (Annexure P-1) before the Court at Ferozepur, wherein the respondent-husband has been directed to pay a sum of Rs.3700/- per month as interim maintenance to the petitioner and her two

minor children. The respondent-husband has also filed a petition under Section 9 of the Hindu Marriage Act (Annexure P-2) for Restitution of Conjugal Rights at Jalandhar.

Vide order dated 08.12.2014 passed by this Court, an attempt was made for amicable settlement by referring the matter to Mediation and Conciliation Centre of this Court.

Learned counsel for the petitioner has informed that no fruitful result has come out from the Mediation proceedings.

Keeping in view that the petitioner-wife along with her two minor children has already filed a petition under Section 125 of Cr.P.C. at Ferozepur and she is handling the responsibility of the minor children, this petition is allowed and the petition under Section 9 of the Act, titled as 'Gaurav Neb Vs. Jyoti' filed by the respondent-husband under Section 9 of the Hindu Marriage Act is withdrawn from the Court of Civil Judge (Senior Division), Jalandhar and is transferred to the Court of competent jurisdiction at Ferozepur. The entire record pertaining to the petition under Section 9 of the Act shall be sent by the trial Court at Jalandhar to the learned District Judge, Ferozepur, who will entrust it to any other Court of competent jurisdiction.

(RITU BAHRI)
JUDGE

05.05.2015
ajp