

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

**T.A. No.703 of 2014 (O&M)
Date of Decision: May 05, 2015**

Hema Mehta @ Madhu @ Hema Rani Applicant

vs.

Ashok Kumar Respondent

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. A.P. Kaushal, Advocate for
Mr. Amit Dhawan, Advocate for the applicant.

None for the respondent.

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment?*
- 2. To be referred to the Reporters or not?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh J.(Oral)

The applicant-wife has filed the present application under Section 24 of the Civil Procedure Code for transferring the petition under Section 13 of the Hindu Marriage Act, 1955 (in short' H.M. Act') titled as "Ashok Kumar vs Hema Rani" from the court of District Judge, Ludhiana to any competent court of jurisdiction at Jalandhar.

Despite service none has appeared on behalf of the respondent-husband to oppose the present application.

It is stated that the applicant-wife has two children from the wedlock. Two criminal cases, one under Section 12 of the Protection to Women from Domestic Violence Act, 2005 and another under Section 125 Cr.P.C. for grant of maintenance are also pending

in the court of Judicial Magistrate 1st Clas, Jalandhar. However the petition under Section H.M. Act is pending at Ludhiana Court.

In view of the aforesaid facts and circumstance, the petition filed by the respondent-husband under Section13 of the H.M. Act pending in the court of District Judge, Ludhiana is withdrawn from his court and transferred to the court of learned District Judge, Jalandhar, who may retain the file himself or entrust the same to some other court of competent jurisdiction.

The present application is allowed accordingly.

May 05, 2015
sarita

(KULDIP SINGH)
JUDGE