

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

TA No. 750 of 2016(O&M)

Date of decision: 11.12.2017

Poonam

....Applicant

VERSUS

Rahul

.....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. J.S. Grewal, Advocate for the applicant.

Mr. K.S. Mamrat, Advocate for the respondent.

REKHA MITTAL, J.(Oral)

The applicant prays for transfer of petition under Section 13 of the Hindu Marriage Act, 1955 (in short 'the Act') titled **Rahul Vs. Poonam** filed by the respondent-husband from the Court of District Judge, Family Court, Moga to a court of competent jurisdiction at Fazilka.

Counsel for the applicant has submitted that interim maintenance at the rate of Rs.2000/- per month was awarded in favour of the applicant in the proceedings under Protection of Women from Domestic Violence Act, 2005 but till date the respondent has not paid any maintenance. Application under Section 125 Cr.P.C. filed by the applicant is pending in the Court at Abohar. It is further submitted that even the respondent failed to comply with order dated 24.01.2017 passed by this Court whereby he was directed to prepare a demand draft of Rs.15,000/- in the name of applicant-wife for payment at the time of appearance of the parties before Mediation and Conciliation Centre. It is further submitted that respondent did not cause appearance before the Mediation Centre

despite recording a concession through his counsel, noticed in the order dated 24.01.2017.

Counsel for the respondent has expressed his inability to say something about failure of the respondent to comply with order dated 24.01.2017. He has submitted that despite his best efforts, he is not able to reach the respondent.

There is no counter to submission of counsel for the applicant that the respondent has failed to pay interim maintenance allowed in favour of the applicant under Protection of Women from Domestic Violence Act, 2005. The distance between Moga and Fazilka is more than 100 KMs, though the applicant is a resident of Abohar which is at further distance of 20 KMs. Under the circumstances, the instant petition is withdrawn from the Court of District Judge, Family Court, Moga and transferred to the Court of senior-most Additional District Judge, Fazilka.

Disposed of accordingly.

DECEMBER 11, 2017

‘D. Gulati’

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no