

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

203

TA-393-2017 (O&M)

Date of decision: 03.11.2017

POOJA

...Applicant

Versus

SUNIL MEHROTRA

...Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Abhishek Sidhwani, Advocate for the applicant.

REKHA MITTAL, J. (Oral)

The applicant prays for transfer of petition filed by the respondent under Section 9 of the Hindu Marriage Act, 1955 (for short 'the HMA') from the Court at Rohtak to a Court of competent jurisdiction at Jind.

Counsel for the applicant would submit that two litigations namely application under Section 125 Cr.P.C. and complaint under Section 12 of the Protection of Women from Domestic Violence Act, 2005 are pending in the Court at Jind in which the respondent/husband has already caused appearance. The petition under Section 9 of the HMA filed by the respondent can be decided by the Court seized of litigations initiated by the applicant.

The respondent has not caused appearance despite service, therefore, there is no counter to the submissions made by counsel for the applicant.

In view of the above, petition under Section 9 of the HMA

pending in the Court at Rohtak is withdrawn from the said Court and is transferred to the Court of District Judge, Jind with a direction that the same shall be entrusted to the Court where the application under Section 125 Cr.P.C. is pending. The Court concerned shall fix both the cases on the same date in order to take care of inconvenience of the husband.

With the aforesaid observations, the application stands disposed of.

03.11.2017
ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No