

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

TA No.634 of 2017(O&M)

Date of decision: 15.12.2017

SeemaApplicant

VERSUS

AnoopRespondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Sunil Kumar, Advocate for the applicant.

None for the respondent.

REKHA MITTAL, J.(Oral)

The applicant prays for transfer of petition filed under Section 9 of the Hindu Marriage Act, 1955 (in short 'the Act') titled **Anoop Vs. Seema** filed by the respondent-husband from the Court of District Judge (Family Court), Jhajjar to a court of competent jurisdiction at Rohtak.

Order dated 02.08.2017 reads as follows:-

“Counsel for the applicant inter alia contends that application under Section 125 of the Code of Criminal Procedure filed by the petitioner is pending in a court at Rohtak and even criminal proceedings initiated on the basis of FIR lodged in August 2016 are also pending in the Court at Rohtak. The petition under Section 9 of the Hindu Marriage Act, 1955 has been filed by respondent-husband in June 2017 at Jhajjar. The same be transferred from the Court of District Judge (Family Court), Jhajjar to a Court at Rohtak.

Notice of motion for 6.10.2017.”

Respondent has failed to cause appearance, therefore, there is no counter to the submissions made by the applicant. The petition under

Section 9 of the Act can be decided by the same Court seized of the proceedings under Section 125 Cr.P.C. initiated by the applicant. Under the circumstances, the instant petition is withdrawn from the Court of District Judge (Family Court), Jhajjar and transferred to the Court at Rohtak seized of application under Section 125 Cr.P.C. filed by the applicant.

Disposed of accordingly.

DECEMBER 15, 2017

‘D. Gulati’

(REKHA MITTAL)

JUDGE

Whether speaking/reasoned : yes/no

Whether reportable : yes/no