

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

108

TA No.370 of 2018
Date of Decision : 9.8.2018

Ritu

...Petitioner

Versus

Raman

.... Respondent.

CORAM: HON'BLE MR.JUSTICE HARINDER SINGH SIDHU

Present:- Mr.Vaibhav Jain, Advocate
for the petitioner.
None for the respondent.

Harinder Singh Sidhu, J.

Petitioner (wife) has filed the present petition under Section 24 of the Code of Civil Procedure for transfer of the petition under Section 13 of the Hindu Marriage Act, 1955 titled as “Raman Vs. Ritu” filed by the respondent (husband) which is pending before the Principal District Judge (Family Court), Hisar, to a court of competent jurisdiction at Bhiwani.

It is stated that the marriage between the parties was solemnized on 7.12.2014. The parties do not have a child. It is stated that the petitioner after being thrown out from the matrimonial home, is now living at her parental house at Bhiwani. The distance between Bhiwani and Hisar is 64 kms and it is difficult for the petitioner to attend court proceedings at Hisar.

Learned counsel for the petitioner further states that four cases ;
i) complaint under Sections 323, 34, 406, 506, 498A, IPC, ii) petition under Section 125 Cr.P.C. for grant of maintenance, iii) petition under Section 9 of the Hindu Marriage Act and iv) petition under *The Protection of Women from Domestic Violence Act, 2005*, instituted by the petitioner against the respondent are pending at Hisar.

As the respondent did not appear despite service, he was proceeded against ex-parte vide order dated 29.5.2018. Thereafter, the case was listed for 27.7.2018. Again, no one put in appearance on behalf of the respondent on 27.07.2018, and the case was adjourned for today. Today again, no one has put in appearance on behalf of the respondent.

Considering the facts and circumstance of the case, it is appropriate that the petition under Section 13 of the Hindu Marriage Act, filed by the husband, be transferred from Hisar to a Court of competent jurisdiction at Bhiwani. Accordingly, this petition is allowed. The petition under Section 13 of the Hindu Marriage Act, 1955 titled as “Raman Vs. Ritu” pending in the Court of Principal District Judge (Family Court), Hisar is withdrawn from that court and transferred to Bhiwani. The learned District Judge, Bhiwani may assign it to a competent court at Bhiwani.

(Harinder Singh Sidhu)
Judge

09.08.2018

sd

Whether speaking/ reasoned:	Yes/No
Whether Reportable:	Yes/No