

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

TA No. 736 of 2018(O&M)
Date of decision:10.10.2018

Reena Devi

.. Petitioner

vs.

Sandeep Kumar

.. Respondent

Coram: Hon'ble Mr. Justice Harinder Singh Sidhu

Present:- Mr. Wazir Singh, Advocate
for the petitioner.

None for the respondent.

Harinder Singh Sidhu, J.

The petitioner-wife has filed the present petition under Section 24 of the Code of Civil Procedure for transfer of petition under Section 13 of the Hindu Marriage Act, 1955, titled as 'Sandeep Kumar vs. Reena Devi', filed by the respondent-husband, from the Court of learned Additional District & Sessions Judge, Kaithal to a Court of competent jurisdiction at Panipat.

The marriage between the petitioner and the respondent was solemnized on 22.04.2004. Two children, Tannu aged about 12 years and Sidhant aged about 7 years were born to them. Both the children are presently residing with the respondent.

It is the case of the petitioner that soon after the marriage, she was treated with cruelty by the respondent and his family members. Ultimately she was thrown out of her matrimonial home. At present she is living at her paternal home in village Assan Kalan, District Panipat.

The petitioner has filed a petition under Section 125 Cr.P.C., which is pending at Panipat. The respondent, on the other hand, filed the petition under Section 13 of the Hindu Marriage Act, 1955 at Kaithal, which is at a distance of 100 KM from Panipat.

It is stated that there is no one in the family to accompany the petitioner to attend the Court proceedings at Kaithal as the father of the petitioner has died sometime back. The petitioner has no source of income.

Despite service, no one has put in appearance on behalf of the respondent on the previous date i.e. 28.09.2018. Today also none has appeared for the respondent.

Considering the facts and circumstances of the case, the transfer application is allowed. The petition under Section 13 of the Hindu Marriage Act, 1955, titled as 'Sandeep Kumar vs. Reena Devi', filed by the respondent-husband, which is pending in the Court of learned Additional District & Sessions Judge, Kaithal is withdrawn from the said Court and transferred to Panipat. The District Judge Panipat may assign it to any competent Court.

10.10.2018
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(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned Yes

Whether Reportable: Yes/No