

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

109

TA No.760 of 2018
Date of decision : 08.10.2018

Priyanka

... Petitioner

Versus

Sumit

.... Respondent

CORAM: HON'BLE MR.JUSTICE HARINDER SINGH SIDHU

Present:- Mr.Ashok Tyagi, 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 “Sumit Vs. Priyanka” filed by the respondent (husband) which is pending before the learned Addl. District Judge, Jind, to a court of competent jurisdiction at Panipat.

It is stated that marriage between the petitioner and respondent was solemnized on 18.11.2016.

It is the case of the petitioner that the respondent and his family members constantly harassed the petitioner and her parents on account of dowry. Ultimately, she was forced to leave her matrimonial home and since then, she is living with her parents at village Biholi, District Panipat. Efforts to resolve the dispute between the parties were of no avail. The respondent did not mend his ways and kept on ill-treating the petitioner on one pretext or the other.

The petitioner has filed a petition under Section 125 Cr.P.C. and a complaint case under the Protection of Women from Domestic Violence Act, 2005 which are pending before learned Judicial Magistrate 1st Class, Panipat. Thereafter, the respondent has filed the petition under Section 13 of the Hindu Marriage Act, 1955 which is pending at Jind.

It is stated that the petitioner is unemployed and has no source of income. She is wholly dependent upon her parents. It is difficult for her to attend the court proceedings at Jind which is at a distance of 80 kms from her place of residence.

The respondent has been served. However, no one has put in appearance on his behalf. On the previous two dates also, no one had appeared for the respondent.

Considering the facts and circumstance of the case, this petition is allowed.

The petition under Section 13 of the Hindu Marriage Act, 1955 titled as “Sumit Vs. Priyanka” filed by the respondent (husband) which is pending before learned Addl.District Judge, Jind is withdrawn from that court and transferred to Panipat. The learned District Judge, Panipat may assign it to a competent court at Panipat.

(Harinder Singh Sidhu)
Judge

08.10.2018

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