

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

117

TA No.804 of 2018
Date of decision :26.9.2018

Yogita Kaushik

... Petitioner

Versus

Alok Kaushik

.... Respondent

CORAM : HON'BLE MR.JUSTICE HARINDER SINGH SIDHU

Present:- Mr.Rajesh Arora, Advocate
for the petitioner.
Mr.Vikas Pal, Advocate 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 (1) (i-a) of the Hindu Marriage Act, 1955 titled as “Alok Kaushik Vs. Yogita Kaushik” (HMA No.2435 of 2018) filed by the respondent (husband) which is pending before learned Additional Principal Judge, Family Court, Faridabad to a court of competent jurisdiction at Narnaul, District Mahendergarh.

It is stated that the marriage of the petitioner with respondent was solemnized on 8.2.2011. After marriage, the petitioner was facing harassment at the hands of the respondent and his family members on account of dowry. There is no child from the marriage. Ultimately, the petitioner was thrown out of her matrimonial home on June, 2018. Since then, she is residing at Village Budhwal, Tehsil Narnaul, District Mahendergarh.

Petitioner has filed a petition under Section 125 Cr.P.C. for maintenance which is pending before learned Judicial Magistrate 1st Class, Narnaul. The petitioner has also filed an application before Women Cell, Narnaul for lodging an FIR under Sections 498-A, 323, 313, 506 read with

Section 34 IPC against the respondent and his family members. Thereafter, the respondent filed a petition under Section 13(1)(i-a) and (i-b) of the Hindu Marriage Act, 1955 at Faridabad which is at a distance of 160 kms from the place of residence of the petitioner. Parents of the petitioner are old. It is very difficult for the petitioner to attend the court proceedings at Faridabad.

Heard counsel for the parties.

Considering the facts and circumstances of the case, it is deemed appropriate that the petition under Section 13 (1) (i-a) & (i-b) of the Hindu Marriage Act, filed by the respondent be transferred from Faridabad to a Court of competent jurisdiction at Narnaul District Mahendergarh.

Accordingly, this petition is allowed. The petition under Section 13 (1) (i-a) of the Hindu Marriage Act, 1955 titled as “Alok Kaushik Vs. Yogita Kaushik” (HMA No.2435 of 2018) filed by the respondent (husband) which is pending before learned Additional Principal Judge, Family Court, Faridabad is withdrawn from that court and transferred to Narnaul, District Mahendergarh.. The learned District Judge, Mahendergarh may assign it to a competent court at Narnaul.

(Harinder Singh Sidhu)
Judge

26.07.2018

sd

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