

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

210

TA-335-2020

Date of decision: 01.07.2020

Sangeeta

.....Petitioner

Versus

Deepak

.....Respondent

CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Ajay Kumar Kansal, Advocate
for the petitioner with the petitioner in person.

Mr. Ishan Singh Cooner, Advocate
for the respondent with the respondent in person.

ARUN KUMAR TYAGI, J (ORAL)

The petitioner has filed the present petition under Section 24 of the Code of Civil Procedure, 1908 for transfer of HMA Case No.612 of 2019 titled as 'Deepak Vs. Sangeeta' filed by the respondent under Section 13 of the Hindu Marriage Act, 1955 for dissolution of his marriage with the petitioner by decree of divorce which is pending in the Court of learned Principal Judge, Family Court, Panchkula for 13.08.2020 from Panchkula to Hisar.

The petition has been filed on the grounds that the petitioner was married with the respondent as per customary rites at Hisar on 05.12.2014. Due to her maltreatment by the respondent, the petitioner has filed petition under Section 12 of the Protection of Women from Domestic Violence Act, 2005 and petition under Section 125 of the Code of Criminal Procedure, 1973 in the Courts at Hisar which are pending. The respondent has filed petition under Section 13 of the Hindu Marriage Act, 1955 at Panchkula just to harass the

petitioner. The petitioner is residing in Hisar and has no independent source of living and is dependent on others for her survival. Therefore, the case may be transferred to the Court at Hisar.

Vide order dated 08.06.2020 notice of the petition was given to the respondent.

Both the parties were directed vide order dated 24.06.2020 to appear through video conferencing on the adjourned date.

Today, both the parties have appeared through video conferencing.

Learned counsel for the respondent has, on instructions from the respondent, submitted that the respondent has no objection to transfer of the above said petition filed by him under Section 13 of the Hindu Marriage Act, 1955 from the Family Court at Panchkula to the Family Court at Hisar.

The parties are also ad idem that efforts for reconciliation may also be made by the Family Court at Hisar.

In view of the facts and circumstances of the case and no objection by the respondent, the present petition is allowed. Accordingly, HMA Case No.612 of 2019 titled as 'Deepak Vs. Sangeeta' filed under Section 13 of the Hindu Marriage Act, 1955 is ordered to be withdrawn from the Family Court at Panchkula and is transferred to the Family Court at Hisar for its disposal in accordance with law and learned District Judge, Panchkula is directed to withdraw the case from the Family Court at Panchkula and send the same to learned District Judge, Hisar for entrustment thereof to the Family Court at Hisar.

The parties are directed to appear before the Court concerned on 05.08.2020.

A copy of this order be sent to learned District Judge, Panchkula and learned District Judge, Hisar for information and requisite compliance.

01.07.2020

Vinay

(ARUN KUMAR TYAGI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No