

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

TA-416-2020 (O&M)
Date of decision : 28.09.2020

Sarita

...Petitioner

Versus

Sunil Kumar

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Yash Dev Kaushik, Advocate for the petitioner.

Mr. Samarth Sagar, Addl. A.G. Haryana.

Mr. Ajit Singh Sihag, Advocate for respondent No.1.

ANIL KSHETARPAL, J. (ORAL)

The petitioner-wife prays for transfer of the petition filed by the husband-respondent under Section 9 of the Hindu Marriage Act, 1955 from the Court of Principal District Judge (Family Court), Hisar, to the Court of competent jurisdiction at Faridabad.

It has been pleaded in the petition that she is residing in Faridabad and respondent is already facing three litigations before the Courts of competent jurisdiction at Faridabad. It has been pointed out that the respondent husband is already defending a criminal case arising from an FIR, a petition under Section 125 of Cr.P.C. and a complaint filed under Section 12 of the Protection of Women from Domestic Violence Act, 2005, at Faridabad. It has been pointed out that distance between Hisar and Faridabad is 210 Km. It has further been pleaded that the petitioner is also

taking care of her minor son and old parents.

Keeping in view the aforesaid facts, the present petition is allowed. Learned Principal District Judge (Family Court) at Hisar is requested to remit the records of petition filed under Section 9 of the Hindu Marriage Act, 1955 titled as Sunil Kumar Vs. Sarita, to the Court of District and Sessions Judge, Faridabad, who shall be at liberty to try the case itself or assign the same to the competent jurisdiction.

28.09.2020

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No