

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

**TA-60-2020 (O&M)**

Date of decision: 09.09.2021

Sangeeta

....Petitioner

Versus

Yogesh Kumar @ Kamal

..Respondent

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Ms. Suman Bishnoi, Advocate for  
Ms. Shelja Sharma, Advocate for the petitioner

Mr. Lajpat Sharma, Advocate for the respondent

**ANIL KSHETARPAL, J (Oral)**

This is the petition filed by the wife under Section 24 of the Code of Civil Procedure, 1908, seeking the transfer of the proceedings in petition filed under Section 13 of the Hindu Marriage Act, 1955, bearing HMA 281/2018 titled as 'Yogesh Kumar @ Kamal vs. Sangeeta' pending in the court of District Judge, Family Court, Karnal to the Court of competent jurisdiction at Panipat.

The petitioner claims that she got married to the respondent on 06.02.2013 and presently she alongwith her minor child, is residing with her aged parents at Panipat and claims that she cannot properly defend the petition at Karnal.

Learned counsel for the petitioner contends that respondent (husband) is already defending two cases at District Court, Panipat i.e a petition under Section 125 Cr.P.C and an application under Section 12 of the Protection of Women from Domestic Violence Act, 2005.

Sh.Lajpat Sharma, Advocate, has entered appearance on behalf of  
the respondent and has contested the petition.

Learned counsel representing the respondent does not dispute the factual aspect noticed above.

In view of the aforesaid, the transfer application is allowed. It is directed that the proceedings in petition filed under Section 13 of the Hindu Marriage Act, 1955, bearing HMA 281/2018 titled as 'Yogesh Kumar @ Kamal vs. Sangeeta' pending in the court of District Judge, Family Court, Karnal be transferred to the Court of competent jurisdiction at Panipat. The transferor court is directed to remit the file of the case to the transferee court forthwith. The parties through their counsel are directed to appear before the District & Sessions Judge, Panipat on 30.09.2021, who shall either try the case himself or assign the same to the court of competent jurisdiction in the District.

All the pending miscellaneous applications, if any, are also disposed of.

09.09.2021

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

**(ANIL KSHETARPAL)**  
**JUDGE**