IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

202 TA-207-2021 (O&M)

Date of decision: 15.09.2021

NOOR BEGAM ALIAS PINKI ..Petitioner

Versus

MUSTAQ KHAN ..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Gaurav Sethi, Advocate for the petitioner.

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ANIL KSHETARPAL, J (Oral)

The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

On 26.08.2021, the following order was passed:-

> "This petition has been filed by the wife seeking the transfer of Civil Suit No.379 dated 20.02.2020, titled Mushtaq Khan vs. Anoor Begum @ Pinki pending in the Court of Civil Judge (Junior Division), Patiala, to the Court of competent jurisdiction at Ambala.
>
> The petitioner claims that she got married to the respondent on 05.02.2012 and they have been blessed with two children. She claims that presently, she is residing with her parents at Ambala and the distance between Patiala and Ambala is approximately 54 Kms. The petitioner further claims that she cannot properly defend the petition at Patiala.
>
> The learned counsel representing the petitioner places reliance on the following litigations pending in District Courts, Ambala:-
>
> (i) Under Section 125 Cr.P.C.
>
> The learned counsel contends that it will be very difficult for the petitioner to travel on each date of hearing.
>
> Notice of motion for 15.09.2021.
>
> The liberty is granted to the petitioner to serve the respondent through his counsel Sh. Rahul Kamboj, at District Courts, Patiala.
>
> Dasti also."

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integrity of this document

As per the office report, notice issued to the respondent has been received back served, however, he remains unrepresented.

Keeping in view the facts noticed in the order dated 26.08.2021, the petition is allowed. The proceedings in civil suit No.379, dated 20.02.2020 (Mushtaq Khan vs. Anoor Begum @ Pinki) pending in the Court of the learned Civil Judge (Jr. Div.), Patiala, are ordered to be transferred to the Court of competent jurisdiction at Ambala. The transferor Court is requested to remit the case file to the transferee Court forthwith. The parties are directed to appear before the District Court, Ambala, on 06.10.2021 who shall either decide the matter himself or assign it to the Court of competent jurisdiction at Ambala.

All the pending miscellaneous application(s), if any, are also disposed of.

15.09.2021 **(ANIL KSHETARPAL)**
ashok **JUDGE**
Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No

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