

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

204

TA-218-2021(O&M)
Date of Order: 04.10.2021

SHILPA

..Petitioner

Versus

HITESH GANDHI

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Abhimanyu Batra, Advocate
for the petitioner.

Mr. N.K. Malhotra, Advocate
for respondent.

ANIL KSHETARPAL, J(Oral)

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

On 07.09.2021, the following order was passed:-

“This petition has been filed by the wife seeking the transfer of the petition filed under Section 13 of the Hindu Marriage Act, 1955, titled as “Hitesh Gandhi vs. Shilpa”, pending in the Court of Principal Judge, Family Court, Rohtak, to the Court of competent jurisdiction at Jind.

The petitioner claims that she got married to the respondent on 17.04.2019. She claims that presently, she is residing with her parents at Jind and the distance between Rohtak and Jind is more than 78 Kms. The petitioner further claims that she cannot properly defend the petition at Rohtak.

The learned counsel representing the petitioner places reliance on the following litigations pending in District Courts, Jind:-

- (i) Under Section 125 Cr.P.C.*
- (ii) Under Section 12 of the Domestic Violence Act, 2005.*
- (iii) FIR No.94, dated 13.10.2020, registered under Section 323/34/354/354-C/377/406/498-A/506 IPC, at Women Police Station, Jind.*

The learned counsel contends that it will be very difficult for the petitioner to travel on each date of hearing.

Notice of motion for 04.10.2021.

The liberty is granted to the petitioner to serve the respondent through his counsel Sh. Harish C. Sikri, Sh.

*Kunal Juneja, at District Courts, Rohtak.
Dasti also. ”*

The learned counsel representing the respondent contends that the distance between Rohtak and Jind is stated to be 50 kms and not 78 kms.

The facts noticed in the order dated 07.09.2021, remain uncontroverted.

Hence, the application is allowed.

The petition under Section 13 of the Hindu Marriage Act, 1955, titled as “Hitesh Gandhi vs. Shilpa”, pending in the Court of Principal Judge, Family Court, Rohtak, is ordered to be transferred to the Court of competent jurisdiction at Jind.

The transferor Court is requested to remit the case file to the transferee Court forthwith.

The parties through their counsel are directed to appear before the transferee Court on 21.10.2021.

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

October 04, 2021

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**(ANIL KSHETARPAL)
JUDGE**

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