

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

205

TA-275-2021(O&M)
Date of Order: 04.10.2021

SAPNA DEVI

..Petitioner

Versus

RAMESH LAL

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Suresh Kumar Arya, Advocate
for the petitioner.

ANIL KSHETARPAL, J(Oral)

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

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

On 07.09.2021, the following order was passed:-

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

This petition has been filed by the wife seeking the transfer of the petition filed under Section 9 of the Hindu Marriage Act, 1955, bearing case No.HMA/2/2021, titled as “Ramesh Lal vs. Sapna Devi”, pending in the Court of Additional Civil Judge (Sr. Division), Sultanpur Lodhi, District Kapurthala, to the Court of competent jurisdiction at Pathankot.

The petitioner claims that she got married to the respondent on 03.01.2010 and they have been blessed with two children. She claims that presently, she is residing with her parents at Pathankot and the distance between Kapurthala and Pathankot is more than 125 Kms. The petitioner further claims that she cannot properly defend the petition at Kapurthala.

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

- (i) Under Section 125 Cr.P.C.*
- (ii) Under Section 12 of the Domestic Violence Act, 2005.*

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. Bhupinder Singh, at Civil Courts, Sultanpur Lodhi, District Kapurthala. Dasti also.”

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

Hence, the application is allowed.

The petition under Section 9 of the Hindu Marriage Act, 1955, bearing No.HMA/2/2021, titled as 'Ramesh Lal vs. Sapna Devi' pending in the Court of Additional Civil Judge (Sr. Division), Sultanpur Lodhi, District Kapurthala, is ordered to be transferred to the Court of competent jurisdiction at Pathankot.

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