

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

TA-396-2021 (O&M)

Date of decision: 30.09.2021

Rashmi Chauhan

...Petitioner

Versus

Pushpender Singh Tanwar

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.T.P.S.Makkar, Advocate for the petitioner

Mr. Punit Malik, Advocate for the respondent

ANIL KSHETARPAL, J (Oral)

CM-9641-CII-2021

Allowed as prayed for.

Main case

This petition has been filed by the wife seeking the transfer of the petition filed under Section 13 (i)(ia)(ib) of the Hindu Marriage Act, 1955, titled as “Pushpender Singh Tanwar vs. Rashmi Chauhan”, pending in the Court of Principal District Judge, Family Court, Bhiwani, to the Court of competent jurisdiction at Mohali.

The petitioner claims that she is at present residing with her parents at Mohali and the distance between Bhiwani and Mohali is more than 250 kms.

The respondent has filed his reply with the assertion that presently, the petitioner is residing in Vishakhapatnam. A communication dated 29.06.2021 has been relied upon.

Learned counsel representing the petitioner contends that she was staying at the relevant time in Vishakhapatnam because

conciliation proceedings were going on. The accommodation was allotted to the respondent since he has been transferred to the non-family station. The petitioner now intends to surrender the accommodation within 15 days.

During the course of hearing, learned counsel for the parties have come to a consensus and jointly pray that the proceedings be transferred to the competent court at Chandigarh.

In view of the aforesaid facts, it is directed that the proceedings in the petition filed under Section 13 (i)(ia)(ib) of the Hindu Marriage Act, 1955, titled as “Pushpender Singh Tanwar vs. Rashmi Chauhan”, pending in the Court of Principal District Judge, Family Court, Bhiwani, be transferred to the Court of competent jurisdiction at Chandigarh. 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, Chandigarh on 29.10.2021, who shall either try the case himself or assign the same to the court of competent jurisdiction in the District.

Disposed of.

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

30.09.2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE