

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

TA-584-2021 (O&M)

Date of decision: 20.09.2021

Manisha

....Petitioner

Versus

Monu

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Pradeep Chhoker, Advocate for the petitioner

None for the respondent

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, the notice issued to the respondent has been received back served with the report that he was not available, hence, he was informed telephonically and thereafter, his sister-in-law received the notice. However, he remains unrepresented.

This is wife's petition under Section 24 of the Code of Civil Procedure, 1908, seeking the transfer of the proceedings in petition filed under Section 9 of the Hindu Marriage Act, 1955, bearing DMC/93/2021 titled as 'Monu vs. Manisha' pending in the District Family Court, Rohtak to the Court of competent jurisdiction at Samalkha, District Panipat.

The petitioner claims that the respondent is already defending three litigations at Samalkha i.e petition under Section 125 Cr.P.C, a complaint under the Protection of Women from Domestic

Violence Act, 2005 and an FIR under Section 498-A, 406, 506, 34 IPC.

Keeping in view the aforesaid uncontroverted facts, the transfer application is allowed. It is directed that the proceedings in the petition filed under Section 9 of the Hindu Marriage Act, 1955, bearing DMC/93/2021 titled as 'Monu vs. Manisha' pending in the District Family Court, Rohtak be transferred to the Court of competent jurisdiction at Samalkha, District 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 Family Court at Samalkha on 06.10.2021.

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

20.09.2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE