

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

TA-491-2021 (O&M)

Date of decision: 27.09.2021

Shallu

...Petitioner

Versus

Harjeet Kumar

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Aseem Kataria, Advocate for the petitioner

Mr. Inderjit Sharma, Advocate 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.

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 13 of the Hindu Marriage Act, 1955, bearing DMC/33/2021 titled as 'Harjeet Kumar vs. Shallu' pending in the Court of Principal Judge, Family Court, Bathinda, to the Court of competent jurisdiction at Fazilka.

The petitioner claims that she got married to the respondent on 12.03.2012. She claims that presently she is residing with her aged parents at Abohar and the distance between Fazilka and Bathinda is 85 Kms. The petitioner further claims that she does not have any independent source of income therefore, she cannot properly defend the petition at Bathinda.

Learned counsel for the petitioner contends that respondent (husband) is already defending a petition under Section 125 Cr.P.C at

Fazilka.

Sh. Inderjit Sharma, Advocate, has entered appearance on behalf of the respondent and has contested the petition. He does not dispute the factual aspect noticed above.

In view of the aforesaid, the transfer application is allowed. It is directed that the proceedings in the petition filed under Section 13 of the Hindu Marriage Act, 1955, bearing DMC/33/2021 titled as 'Harjeet Kumar vs. Shallu' pending in the Court of Principal Judge, Family Court, Bathinda, be transferred to the Court of competent jurisdiction at Fazilka. 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, Fazilka, on 13.10.2021, who shall either try the case himself or assign the same to the court of competent jurisdiction in the District.

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

27.09.2021

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE