

In the High Court of Punjab and Haryana, at Chandigarh

Transfer Application No. 513 of 2021

Date of Decision: 18.08.2021

Shakuntla

... Petitioner(s)

Versus

Ram Kumar Dhankhar

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Sarfraj Hussain, Advocate
for the petitioner(s).

Mr. Prince Sharma, Advocate
for the respondent.

Anil Kshetarpal, J.

1. Through this application, the petitioner (wife) prays for transfer of the divorce petition, filed under Section 13(1)(i)(1a) of the Hindu Marriage Act, 1955 (***Ram Kumar Dhankhar v. Shakuntla, HMA/125/2021***), presently pending in the Court of Principal Judge, Family Court at Jhajjar to the Court of competent jurisdiction at Gurugram.

2. It has been asserted that two petitions, filed by the petitioner herein, namely, petition under Section 125 Cr.P.C. for grant of maintenance and an application under Section 12 of the Protection of Women from Domestic Violence Act, 2005, are already pending in the District Courts at Gurugram, which are being contested by the respondent.

3. The petitioner further claims that it would be difficult for her to appear before the Court at Jhajjar as she does not have any independent

source of income.

4. Keeping in view the aforesaid facts, the present application is allowed. The proceedings of case *Ram Kumar Dhankhar v. Shakuntla, under Section 13(1)(i)(1a) of the Hindu Marriage Act, 1955*, presently pending in the Court of Principal Judge, Family Court at Jhajjar, are transferred to the Court of competent jurisdiction at Gurugram. The transferor Court is requested to remit the file of the aforesaid case to the transferee Court forthwith. The parties, through their learned counsel, are directed to appear before the Court of District and Sessions Judge at Gurugram on 06.09.2021, who may try the case himself or assign it to any other Presiding Judge having jurisdiction.

(Anil Kshetarpal)
Judge

August 18, 2021

“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No