

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

TA-527-2021 (O&M)

Date of decision: 02.09.2021

Pushpa Kumari

....Petitioner

Versus

Raju Kumar

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.M.K.Sood, Advocate for the petitioner

Mr. Jimmy Singla, 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.

CM-7923-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 9 of the Hindu Marriage Act, 1955, bearing No.HMA/1773/2020, pending in the Court of Principal Judge, Family Court, Amritsar to the Court of competent jurisdiction at Faridabad.

The petitioner claims that she got married to the respondent on 20.01.2020. She claims that presently she is residing with her parents at Faridabad and the distance between Faridabad and Amritsar is more than 550 Kms.

Learned counsel representing the petitioner contends that the respondent (husband) is already facing trial in two cases in District

Courts, Faridabad i.e. FIR No.20, dated 24.01.2021 registered under Section 323, 34, 354-A, 406, 498-A, 506 IPC, and a complaint under Section 12, 17 to 20, 22 and 23 of the Protection of Women from Domestic Violence Act, 2005, respectively.

In view of the aforesaid, the transfer application is allowed. It is directed that the petition filed under Section 9 of the Hindu Marriage Act, 1955, bearing No.HMA/1773/2020, pending in the Court of Principal Judge, Family Court, Amritsar, be transferred to the Court of competent jurisdiction at Faridabad. 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, Faridabad on 22.09.2021, who would 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.

02.09.2021

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE