

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

208

TA-554-2021(O&M)
Date of Order: 06.09.2021

HINA

..Petitioner

Versus

SUNNY AND ORS

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. J.K. Sehrawat, Advocate
for the petitioner.

ANIL KSHETARPAL, J(Oral)

The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

Through this transfer application, the petitioner (wife of the respondent) prays for transfer of proceedings of Civil Suit No.1399/2021, titled as “Sunny Vs. Mrs. Hina and others” pending in the Court of learned Civil Judge (Junior Division), Faridabad, Haryana, to the Court of competent jurisdiction at Bathinda.

While allowing the previous transfer application bearing No.TA-544-2021, the following order was passed:-

“The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

Hina and her minor daughter (the petitioners) pray for transfer of the file of HMA/714/2021 (Sunny vs. Mrs. Hina and another), pending before the Family Court, Faridabad to the Court of Family Court, Bathinda.

The petitioner-Hina claims that she is residing with her 2 year old daughter at Bathinda with her parents which is at a distance of about 400 kms. from Faridabad. Learned counsel contends that the respondent (husband) is already defending two cases at Bathinda namely trial in the FIR as well as a petition under the Protection of Women from Domestic Violence Act, 2005.

As per the office report, notice issued to the respondent has been received back served through his brother. However, the respondent has chosen not to enter appearance.

Keeping in the view the assertions made in the petition, the petition is allowed. The file of HMA/714/2021 (Sunny Vs. Mrs. Hina and another) pending in the Family Court, Faridabad is ordered to be transferred to the Court of competent jurisdiction at Bathinda. The transferor Court is requested to remit the case file to the transferee Court forthwith. The petitioners are directed to appear before the District Judge, Bathinda, on 22.09.2021 who will either decide the matter himself or assign it to the Court of competent jurisdiction at Bathinda.

All the pending miscellaneous application(s), if any, are also disposed of.”

For the reasons as beheld in the order dated 02.09.2021, the petition is allowed.

The proceedings of Civil Suit No.1399/2021, titled as “Sunny Vs. Mrs. Hina and others” pending in the Court of learned Civil Judge (Junior Division), Faridabad, Haryana, is ordered to be transferred to the Court of competent jurisdiction at Bathinda.

The transferor Court is requested to remit the case file to the transferee Court forthwith.

The petitioner through her counsel is directed to appear before the transferee Court on 27.09.2021.

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

September 06, 2021

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**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No