

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

211

TA-543-2021 (O&M)

Date of decision: 12.08.2021

NISHTHA

..Petitioner

Versus

SUMIT MITTAL

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Dhruv Gupta, 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.

As per the office report, notice to the respondent has been received back served. However, the respondent remains unrepresented.

This application has been filed by the wife under Section 24 of the Code of Civil Procedure, 1908, seeking the transfer of petition, bearing No.HMA/31 of 2021 filed under Section 13 of the Hindu Marriage Act, 1955, titled as 'Sumit Mittal Vs. Nishtha' pending before the Principal Judge, Family Court, District Jind, to the Court of competent jurisdiction at Ambala.

It is pleaded that the aforesaid petition be transferred to the Court of competent jurisdiction at Ambala on the ground that the previous petition filed under Section 9 of the Hindu Marriage Act is already pending at Ambala and the petitioner is unable to maintain herself as she has no source of income. She is also taking care of her infant daughter-Samisha. She further claims that she is totally dependent upon her aged parents.

Keeping in view the aforesaid facts, the petition is allowed. The file of HMA/31 of 2021 (Sumit Mittal Vs. Nishtha) pending in the Court of Principal Judge, Family Court, Jind, is ordered to be transferred to the Court of competent jurisdiction at Ambala. The transferor Court is requested to remit the case file to the transferee Court forthwith. The petitioner is directed to appear before the District Judge, Ambala, on 31.08.2021 who will either decide the matter himself or assign it to the Court of competent jurisdiction at Ambala.

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

12.08.2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)

JUDGE