

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

TA-558-2021 (O&M)

Date of decision: 06.10.2021

Maya

...Petitioner

Versus

Ajay

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Johan Kumar, Advocate for the petitioner

Ms. Manjeet Chahal, Advocate for

Ms. Seema Pasricha, 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 a petition filed under Section 13 of the Hindu Marriage Act, 1955, bearing DMC 671/2020 titled as 'Ajay vs. Maya' pending in the Court of the Additional Principal Judge, Family Court, Sonipat, to the Court of competent jurisdiction at Faridabad.

The petitioner claims that she got married to the respondent on 23.04.2016. She claims that presently, she alongwith her minor child is residing with her aged parents at Faridabad. The petitioner further claims that she is unable to properly defend the petition at Sonipat.

Learned counsel for the petitioner contends that respondent (husband) is already defending three cases at District Court, Faridabad i.e FIR no. 168 dated 07.12.2020 registered under Section 498A, 323,

406, 506, 34 IPC, a petition under Section 125 Cr.P.C and a petition under Section 12 of the Protection of Women from Domestic Violence Act, 2005.

Ms. Manjeet Chahal, Advocate, has entered appearance on behalf of the respondent. She submits that she has no objection to the prayer made in the transfer application.

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 671/2020 titled as 'Ajay vs. Maya' pending in the Court of the Additional Principal Judge, Family Court, Sonipat, 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 22.10.2021, 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.

06.10.2021

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)

JUDGE