

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

ASHOK KUMAR
2021.10.08 09:50
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TA-562-2021 (O&M)

Date of decision: 06.10.2021

SONIA @ SONIA NEGI

..Petitioner

Versus

KARANVIR KUMAR SHARMA

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Atul Goyal, Advocate for the petitioner.

Mr. AK Saini, 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 No.10011-CII of 2021

Allowed as prayed for. Annexure P4 is taken on record subject to all just exceptions.

Main Case

This is an application filed by the wife with a prayer to transfer the proceedings in a petition bearing No.HMA/48/2021 (Karanvir Kumar Sharma vs. Sonia @ Sonia Negi) filed under Section 13 of the Hindu Marriage Act, 1955, from the Family Court, Samrala, to the Court of competent jurisdiction at Chandigarh.

The petitioner alleges that respondent's brother is a practising Advocate at Samrala and the respondent is already defending proceedings in a complaint filed under Section 12 of the Protection of Women from

Domestic Violence Act, 2005, at Chandigarh. The petitioner also claims that the petitioner and respondent are employed in Chandigarh itself.

Learned counsel representing the respondent states that the petitioner repeatedly changes her address.

It is not in dispute that the petitioner has not filed any previous transfer petition.

Keeping in view the aforesaid facts, the petition is allowed. The proceedings in the petition bearing No.HMA/48/2021 (Karanvir Kumar Sharma vs. Sonia @ Sonia Negi) filed under Section 13 of the Hindu Marriage Act, 1955, pending in the Family Court, Samrala, are ordered to be transferred to the Court of competent jurisdiction at Chandigarh. The transferor Court is requested to remit the case file to the transferee Court forthwith. The parties are directed to appear before the District Judge, Chandigarh, on 22.10.2021 who shall either decide the matter himself or assign it to the Court of competent jurisdiction at Chandigarh.

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

06.10.2021

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE