

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

ASHOK KUMAR
2021.09.28 15:52
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TA-588-2021 (O&M)

Date of decision: 27.09.2021

SANDEEP KAUR

..Petitioner

Versus

NAND KISHOR

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mrs. GK Turka, Advocate for the petitioner.
Mr. Saurabh Kapoor, 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.

Through this petition, the petitioner prays for transfer of proceedings of petition (Nand Kishore vs. Sandeep Kaur) filed under Section 9 of the Hindu Marriage Act, 1955, pending before the Principal Judge, Family Court, Rupnagar, to the Court of competent jurisdiction at Patiala.

The petitioner claims that the respondent is already defending proceedings in the following cases:-

1. A petition under Section 125 Cr.P.C.
2. A complaint under Section 12(1), 18, 19, 20 and 22 of the Protection of Women from Domestic Violence Act, 2005.

The petitioner also claims that she has no independent source of income and is dependent upon her parents. The distance between her village and Rupnagar is stated to be more than 100 kms.

Learned counsel for the respondent contends that the respondent is open to reconcile the dispute through mediation.

Keeping in view the aforesaid facts, the petition is allowed. The proceedings of petition (Nand Kishore vs. Sandeep Kaur) filed under Section 9 of the Hindu Marriage Act, 1955, pending before the Principal Judge, Family Court, Rupnagar, are ordered to be transferred to the Court of competent jurisdiction at Patiala. 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, Patiala, on 13.10.2021 who shall either decide the matter himself or assign it to the Court of competent jurisdiction at Patiala.

The Family Court, Patiala, is requested to make sincere efforts for reconciling the dispute through mediation.

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

27.09.2021

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE