

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

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**TA-602-2021(O&M)
Date of Order: 28.09.2021**

CHANDNI

..Petitioner

Versus

GURJIT SINGH

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Ms. Fary Jain, 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 issued to the respondent has been received back served, however, he remains unrepresented.

This is an application filed by the wife of the respondent with a prayer to transfer the proceedings in a petition under Section 9 of the Hindu Marriage Act, 1955, bearing case No.HMA/113/2021, titled as “Gurjit Singh VS. Chandni”, presently pending in the Court of Principal Judge, Family Court, Budhlada, to the Court of competent jurisdiction at Chandigarh.

The learned counsel representing the petitioner contends that the respondent is already defending proceedings in the following cases at Chandigarh:-

- i) Under Section 125 Cr.P.C.,
- ii) Under Section 12 of the Protection of Women from Domestic Violence Act, 2005.

The petitioner has also filed a divorce petition under Section 13 of the Hindu Marriage Act, 1955, which is pending at Chandigarh, however, the respondent has been proceeded as ex parte. The distance between Budhlada and Chandigarh is stated to be more than 180 Kms.

Keeping in view the aforesaid facts, the petition is allowed.

The petition under Section 9 of the Hindu Marriage Act, 1955, bearing case No.HMA/113/2021, titled as “Gurjit Singh VS. Chandni”, presently pending in the Court of Principal Judge, Family Court, Budhlada, is 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 through their counsel are directed to appear before the transferee Court on 14.10.2021.

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

September 28, 2021

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**(ANIL KSHETARPAL)
JUDGE**

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