

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

TA-630-2021 (O&M)

Date of decision: 08.09.2021

Komal

...Petitioner

Versus

Sudhir

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Nitin Bansal, Advocate for the petitioner
 Mr. A.K.Sharma (Bhana), 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.

While issuing notice of motion on 17.08.2021, the
following order was passed by this Court:-

“The hearing of the case was held
through video conferencing on account of restricted
functioning of the Courts.

This petition has been filed by the wife
seeking the transfer of the suit/ petition
No.HMA/961/2019, titled as “Sudhir vs. Komal”, pending
in the Court of Principal District Judge, Family Court,
District Jind, to the Court of competent jurisdiction at
Rohtak.

The petitioner claims that she got married to
the respondent on 19.11.2018. She claims that presently
she is residing with her parents at Madina, Rohtak and the
distance between Rohtak and Jind is 83 Kms. The
petitioner further claims that she cannot properly defend
the petition at Jind.

The learned counsel representing the
petitioner places reliance on the following litigations
pending in District Courts, Rohtak:-

(i) FIR No.95, dated 03.05.2021, registered under Section
34/354/377/406/498-A IPC, at Police Station Bahu
Akbarpur, Rohtak

(ii) Petition under Section 125 Cr.P.C., for maintenance

The learned counsel contends that it will be very
difficult for the petitioner to travel on each date of
hearing.

Notice of motion for 31.08.2021.

The liberty is granted to the petitioner to serve the respondent through his counsel Mr. Navin Singla, Advocate, at District Courts, Jind.

Dasti also.”

Sh.A.K.Sharma (Bhana), Advocate, has entered appearance on behalf of the respondent and has contested the petition.

Learned counsel representing the respondent does not dispute the factual aspect noticed in the order dated 17.08.2021.

In view of the aforesaid, the transfer application is allowed. It is directed that the suit/ petition bearing No.HMA/961/2019, titled as “Sudhir vs. Komal”, pending in the Court of Principal District Judge, Family Court, District Jind, be transferred to the Court of competent jurisdiction at Rohtak. 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, Rohtak on 29.09.2021, who would 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.

08.09.2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE