

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

211

TA-656-2021 (O&M)

Date of decision: 08.09.2021

MONIKA RANI

..Petitioner

Versus

ANAND KUMAR

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. CS Singhal, 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.

On 23.8.2021, the following order was passed:-

“This petition has been filed by the wife seeking the transfer of the petition filed under Section 13 of the Hindu Marriage Act, 1955, bearing No.HMA/282/2020, titled as 'Anand Kumar vs. Monika Rani' pending in the Court of Principal Judge, Family Court, Kurukshetra to the Court of competent jurisdiction at Kaithal.

The petitioner claims that she got married to the respondent on 13.07.2016. She claims that at present, she alongwith her minor child, is residing with her parents at Kaithal and cannot properly defend the petition at Kurukshetra.

Learned counsel representing the petitioner contends that the respondent (husband) is already facing the trial in two cases in District Courts, Kaithal i.e. FIR No.97, dated 04.05.2017 registered under Section 323, 406, 498-A,. 506 IPC and an application under Section 12 of the Protection of Women from Domestic Violence Act, 2005.

Notice of motion for 08.09.2021.

The liberty is granted to the petitioner to serve the respondent through his counsel in District Court, Kurukshetra.

Dasti also.”

As per the office report, notice issued to the respondent has been

served through his trial Court counsel. However, he has chosen not to enter

appearance.

Keeping in view the aforesaid facts, the petition is allowed. The proceedings of case bearing No.HMA/282/2020 (Anand Kumar vs. Monika Rani) pending in the Court of Principal Judge, Family Court, Kurukshetra, is ordered to be transferred to the Court of competent jurisdiction at Kaithal. 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, Kaithal, on 29.09.2021 who shall either decide the matter himself or assign it to the Court of competent jurisdiction at Kaithal.

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

08.09.2021

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE