

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

TA-694-2021 (O&M)

Date of decision: 02.09.2021

Rajwinder Kaur

...Petitioner

Versus

Sandeep Kumar

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.K.S.Chaudhary, Advocate for the petitioner
Mr. Navraj Singh, 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 12.08.2021, 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 petition filed under Section 9 of the Hindu Marriage Act, 1955, bearing No.HMA/202/2021, pending in the Court of Additional Principal Judge, Family Court, Camp Court, Nakodar, Jalandhar to the Court of competent jurisdiction at Chandigarh.

The petitioner claims that she got married to the respondent on 18.03.2019. She claims that, at present, she is residing with her aged parents at Chandigarh and the distance between Nakodar and Chandigarh is more than 100 Kms. The petitioner further claims that she cannot properly defend the petition at Nakodar, Jalandhar.

Notice of motion for 27.08.2021.

The liberty is granted to the petitioner to serve the respondent through his counsel Sh. Raj Kumar Sidhu, Civil Courts, at Nakodar, Jalandhar.

Dasti also.”

Sh.Navraj Singh, 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 noted in the order dated 12.08.2021.

In view of the aforesaid order, the transfer application is allowed. It is directed that the petition filed under Section 9 of the Hindu Marriage Act, 1955, bearing No.HMA/202/2021, pending in the Court of Additional Principal Judge, Family Court, Camp Court, Nakodar, Jalandhar be transferred to the Court of competent jurisdiction at Chandigarh. 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, Chandigarh on 22.09.2021, 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.

02.09.2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE