

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

ASHOK KUMAR
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TA-709-2021 (O&M)

Date of decision: 27.09.2021

SANDEEP KAUR

..Petitioner

Versus

RAMANDEEP SINGH

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Krishan Kanha, Advocate for the petitioner.

Mr. Dhruv Gupta, 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.

On 16.08.2021, the following order was passed:-

“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/868/2020, titled as 'Ramandeep Singh vs. Sandeep Kaur' pending in the Court of Principal Judge, Family Court, Ambala to the Court of competent jurisdiction at Chandigarh.

The petitioner claims that she got married to the respondent on 02.09.2018. She claims that, at present, she is residing with her aged parents at Chandigarh and cannot properly defend the petition at Ambala.

Learned counsel representing the petitioner places reliance on the litigation pending in the Family Court at Chandigarh, under Section 125 Cr.P.C.

Notice of motion for 26.08.2021.

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

Dasti also.”

Learned counsel representing the respondent contends that the petitioner has been proceeded against ex parte on 20.05.2021.

Learned counsel representing the petitioner contends that the

petitioner is residing at Chandigarh with her parents and has an infant daughter aged about 1 year and 4 months.

The respondent is already defending the proceedings in a petition under Section 125 Cr.P.C. The petitioner can always join the proceedings and pray for setting aside the ex parte proceedings.

Keeping in view the aforesaid facts, the petition is allowed. The proceedings of HMA/868/2020 ('Ramandeep Singh vs. Sandeep Kaur') pending in the Court of Principal Judge, Family Court, Ambala, are 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 are directed to appear before the District Judge, Chandigarh, on 13.10.2021 who shall either decide the matter himself or assign it to the Court of competent jurisdiction at Chandigarh.

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

27.09.2021

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)**JUDGE**