

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

213

TA-714-2021 (O&M)

Date of decision: 13.09.2021

POOJA

..Petitioner

Versus

BALWINDER KUMAR

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Ms. Rakhi Sharma, 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 17.08.2021, the following order was passed:-

“This petition has been filed by the wife seeking the transfer of the case No.HMA/98/2020, titled as “Balvinder Kumar vs. Pooja” pending in the Principal Judge, Family Court, Kaithal, to the Court of competent jurisdiction at Jind.

The petitioner claims that she got married to the respondent on 27.06.2004. They have been blessed with one male child and one female child. She claims that presently she is residing with her parents at Jind and the distance between Jind and Kaithal is 65 Kms. The petitioner further claims that she cannot properly defend the petition at Kaithal.

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

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

(ii) Under Section 12 of Domestic Violence Act, 2005.

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

Notice of motion for 01.09.2021.

The liberty is granted to the petitioner to serve the respondent through his counsel Sh. Dinesh Tyagi, Advocate, at District Courts, Kaithal.

Dasti also.”

Learned counsel for the petitioner has forwarded scanned copy

of the summons to prove service of the notice to the respondent. However, he remains unrepresented.

Keeping in view the facts as noticed in the order dated 17.08.2021, the petition is allowed. The proceedings of HMA/98/2020, (Balvinder Kumar vs. Pooja) pending in the Principal Judge, Family Court, Kaithal, are ordered to be transferred to the Court of competent jurisdiction at Jind. 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, Jind, on 04.10.2021 who shall either decide the matter himself or assign it to the Court of competent jurisdiction at Jind.

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

13.09.2021

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE