

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

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TA-744-2021 (O&M)

Date of decision: 10.09.2021

MADHVI

..Petitioner

Versus

GAURAV NARULA

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Parveen Kaushik, 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.

As per the office report, notice issued to the respondent has been served through his trial Court counsel. However, he remains unrepresented.

On 23.08.2021, the following order was passed;-

“This petition has been filed by the wife seeking the transfer of the petition filed under Section 13 (1)(ia) of the Hindu Marriage Act, 1955, bearing No.DMC/315/2021, titled as 'Gaurav Narula vs. Madhvi' pending in the Court of Principal Judge, Family Court, Bhiwani to the Court of competent jurisdiction at Jhajjar.

The petitioner claims that she got married to the respondent on 16.04.2019. She claims that at present, she alongwith her minor son, is residing with her parents at Jhajjar and cannot properly defend the petition at Bhiwani.

Learned counsel representing the petitioner contends that the respondent-husband is already facing trial in three cases in District Courts, Jhajjar i.e. FIR No.70, dated 31.03.2021, registered under Section 323, 498-A, 506, 34 IPC, petition under Section 125 Cr.P.C and an application under Section 12 of the Protection of Women from Domestic Violence Act, 2005.

Notice of motion for 10.09.2021.

The liberty is granted to the petitioner to serve the respondent through his counsel Sh. Mukesh Sharma, District Court, Bhiwani.

Dasti also.”

Keeping in view the aforesaid uncontroverted facts, the petition is allowed. The proceedings in petition i.e. DMC/315/2021 (Gaurav Narula vs. Madhavi), pending in the Court of Principal District Judge, Family Court,

Bhiwani, are ordered to be transferred to the Court of competent jurisdiction at Jhajjar. 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, Jhajjar, on 01.10.2021 who shall either decide the matter himself or assign it to the Court of competent jurisdiction at Jhajjar.

All the pending miscellaneous applications, if any, are also disposed of.

10.09.2021

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE