

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

TA-741-2021 (O&M)

Date of decision: 09.09.2021

Mamta

....Petitioner

Versus

Lokesh @ Shrawan

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sunny Namdev, Advocate for the petitioner

None for the respondent

ANIL KSHETARPAL, J (Oral)

On 23.08.2021, 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.DMC/380/2021, titled as 'Lokesh @ Shrawan vs. Mamta' pending in the Court of Principal Judge, Family Court, Rohtak to the Court of competent jurisdiction at Bhiwani.

The petitioner claims that she got married to the respondent on 23.11.2019. She claims that at present, she alongwith her 10 months old son, is residing with her parents at Bhiwani and cannot properly defend the petition at Rohtak as the distance between the two places is 60 kms.

Learned counsel representing the petitioner contends that the respondent-husband is already facing trial in a petition filed under Section 125 Cr.P.C at District Court, Bhiwani.

Notice of motion for 09.09.2021.

The liberty is granted to the petitioner to serve the respondent through his counsel Sh. Pardeep Mittal, District Court, Rohtak.

Dasti also”

As per the office report, the notice issued to the respondent has been received back served, however, he remains unrepresented.

In view of the facts noticed in the order dated 23.08.2021, the transfer application is allowed. It is directed that the proceedings in petition filed under Section 9 of the Hindu Marriage Act, 1955, bearing No.DMC/380/2021, titled as 'Lokesh @ Shrawan vs. Mamta' pending in the Court of Principal Judge, Family Court, Rohtak be transferred to the Court of competent jurisdiction at Bhiwani. 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, Bhiwani on 30.09.2021, who shall 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.

09.09.2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE