

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

210

TA No.748 of 2021(O&M)
Date of decision:21.09.2021

Kiran Soni @ Komal

...Petitioner

Versus

Ashish Verma

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

**Present: Mr. Munish Gupta, Advocate
for the petitioner.**

**Mr. Sanjay Verma, Advocate,
for the respondent.**

ANIL KSHETARPAL, J (Oral)

On 24.08.2021, the following order was passed:-

“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 13 (1)(ia) of the Hindu Marriage Act, 1955, bearing No.HMA/617/2021, titled as 'Ashish Verma vs. Kiran Soni' pending in the Court of Additional Principal Judge, Family Court, Gurugram to the Court of competent jurisdiction at Mohindergarh.

The petitioner claims that she got married to the respondent on 25.02.2020. She claims that at present, she is residing with her parents at Mohindergarh and cannot properly defend the petition at Gurugram.

Learned counsel representing the petitioner contends that the respondent (husband) is already facing trial in two cases in District Mohindergarh i.e. Complaint no.355-5 dated 07.07.2021 and a petition under Section 125 Cr.P.C.

Notice of motion for 14.09.2021.

The liberty is granted to the petitioner to serve the respondent through his counsel Sh. N.K.Jain, District Court, Gurugram.

Dasti also.”

The learned counsel representing the petitioner further informs that in a complaint filed under the Protection of Women from Domestic Violence Act, 2005, the respondent has been summoned for appearance before the Court of competent jurisdiction at Mohindergarh. He further contends that the distance between Gurugram and Mohindergarh is 230 Kms.

While contesting the petition, the respondent does not dispute the factual aspect, however, he states that when the respondent went to the Mediation Centre at Mohindergarh, he was threatened. The respondent is already defending proceedings of 3 cases at Mohindergarh.

Hence, the application is allowed.

The petition filed under Section 13 (1)(ia) of the Hindu Marriage Act, 1955, bearing No.HMA/617/2021, titled as 'Ashish Verma vs. Kiran Soni', pending in the Court of Additional Principal Judge, Family Court, Gurugram, is ordered to be transferred to the Court of competent jurisdiction at Mohindergarh.

The transferor Court is requested to remit the case file to the transferee Court forthwith.

The petitioner through her counsel is directed to appear before the transferee Court on 08.10.2021.

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

September 21, 2021
nt

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No