

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

ASHOK KUMAR
2021.09.29 16:21
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TA-745-2021 (O&M)

Date of decision: 28.09.2021

ROSY SOPHAT

..Petitioner

Versus

RUPESH SOPHAT

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Piyush Gill, 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 received back served. However, he remains unrepresented.

While issuing notice of motion 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 of the Hindu Marriage Act, 1955, bearing No.HMA/3601/2019, titled as 'Rupesh Sophat vs. Rosy Sophat' pending in the Court of Additional Principal Judge, Family Court, Ludhiana to the Court of competent jurisdiction at SAS Nagar (Mohali).

The petitioner claims that she got married to the respondent on 03.12.2003.

Learned counsel representing the petitioner contends that at present she is residing at SAS Nagar, Mohali and she has undergone a surgery for femoral neck fracture. She further prays that she cannot travel to Ludhiana to defend the aforesaid petition filed by her husband.

Notice of motion for 13.09.2021.

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

Dasti also.”

As the respondent has not entered appearance, the facts noticed in the order dated 23.08.2021 remain uncontroverted. Hence, the petition is allowed. The proceedings of HMA/3601/2019, ('Rupesh Sophat vs. Rosy Sophat') pending in the Court of Additional Principal Judge, Family Court,

Ludhiana, are ordered to be transferred to the Court of competent jurisdiction at SAS Nagar (Mohali). 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, SAS Nagar (Mohali), on 14.10.2021 who shall either decide the matter himself or assign it to the Court of competent jurisdiction at SAS Nagar (Mohali).

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

28.09.2021

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE