

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

TA-759-2021 (O&M)

Date of decision: 20.09.2021

Suman Bagga

....Petitioner

Versus

Kamal Bagga

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Piyush Gill, Advocate for the petitioner

None for the respondent

ANIL KSHETARPAL, J (Oral)

The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

While issuing notice of motion on 25.08.2021, 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 case bearing No.HMA/155/2021, titled as “Kamal Bagga vs. Suman”, pending in the Court of Principal Judge, Family Court, at Kaithal, to the Court of competent jurisdiction at Karnal.

The petitioner claims that she got married to the respondent on 07.12.2020. She claims that presently, she is residing with her parents at Karnal and the distance between Kaithal and Karnal is 60 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, Karnal:-

(i) Under Section 125 Cr.P.C.

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

Notice of motion for 20.09.2021.

The liberty is granted to the petitioner to serve

the respondent through his counsel Sh. Mandeep Singh, at District Courts, Kaithal.
Dasti also.”

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

In view of the aforesaid uncontroverted facts, the transfer application is allowed. It is directed that the proceedings in the petition HMA/155/2021, titled as “Kamal Bagga vs. Suman”, pending in the Court of Principal Judge, Family Court at Kaithal, be transferred to the Court of competent jurisdiction at Karnal. 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, Karnal on 08.10.2021, 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.

20.09.2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE