

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

207

TA-751-2021(O&M)
Date of Order: 22.09.2021

SHIVANI

..Petitioner

Versus

RAJIV CHOPRA

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Vivek Goyal, Advocate
for the petitioner.

Mr. Atul Bhatia, Advocate
for respondent.

ANIL KSHETARPAL, J(Oral)

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

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 of the Hindu Marriage Act, 1955, bearing No.HMA/145 of 2021, titled as 'Rajiv Chopra vs. Shivani' pending in the Family Court, Karnal to the Court of competent jurisdiction at Kurukshetra.

The petitioner claims that she got married to the respondent on 31.01.2014. She claims that at present, she alongwith her 1½ year old child, is residing with her parents at Kurukshetra and cannot properly defend the petition at Karnal.

Learned counsel representing the petitioner contends that the respondent (husband) is already facing trial in two cases in District Courts, Kurukshetra i.e. FIR No.401 dated 15.09.2020 under Section 323, 498-A, 506 IPC and a petition under Section 125 Cr.P.C.

Notice of motion for 15.09.2021.

The liberty is granted to the petitioner to serve the respondent through his counsel Sh. Gagan Sehgal, District Court, Karnal.

Dasti also. ”

Learned counsel representing the respondent does not dispute the factual position, however, he contends that the distance between Karnal and Kurukshetra is 30 kms.

As, the respondent is already defending two litigations at Kurukshetra, therefore, the petition is allowed.

The petition under Section 13 of the Hindu Marriage Act, 1955, bearing No.HMA/145 of 2021, titled as 'Rajiv Chopra vs. Shivani' pending in the Family Court, Karnal, is ordered to be transferred to the Court of competent jurisdiction at Kurukshetra.

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

The parties through their counsel are directed to appear before the transferee Court on 11.10.2021.

The respondent shall be at liberty to file an application for fixing all the cases on the one date of hearing.

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

September 22, 2021

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**(ANIL KSHETARPAL)
JUDGE**

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