

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

208

TA-757-2021(O&M)
Date of Order: 29.09.2021

AARTI GOYAL

..Petitioner

Versus

DHIRAJ SINGLA

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. M.K. Pundir, Advocate
for the petitioner.

Mr. Ashish Kumar, 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 25.08.2021, 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 case No.HMA/294/2021, titled as “Dhiraj Singla vs. Aarti Goyal”, pending in the Court of Additional District Judge, Chandigarh, to the Court of competent jurisdiction at Yamuna Nagar.

The petitioner claims that she got married to the respondent on 25.06.2019 and they have been blessed with one female child. She claims that presently, she is residing with her aged parents at Yamuna Nagar and the distance between Yamuna Nagar and Chandigarh is approximately 110 Kms. The petitioner further claims that she cannot properly defend the petition at Chandigarh.

The learned counsel representing the petitioner places reliance on the following litigations pending in District Courts, Yamuna Nagar.

- (i) Under Section 125 Cr.P.C.*
- (ii) FIR No.123, dated 14.09.2020, registered under Section 323/406/498-A IPC, at Police Station Women Yamuna Nagar.*
- (iii) Under Section 12 of the Domestic Violence Act, 2005.*

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. Ashish Bansal and Ms. Rashika Bansal, at District Courts, Chandigarh.

Dasti also.”

Learned counsel representing the respondent submits that he has no objection if the application is allowed.

Accordingly, the petition is allowed.

The petition under Section 13 of the Hindu Marriage Act, 1955, bearing case No.HMA/294/2021, titled as “Dhiraj Singla vs. Aarti Goyal”, pending in the Court of Additional District Judge, Chandigarh, is ordered to be transferred to the Court of competent jurisdiction at Yamuna Nagar.

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 14.10.2021.

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

September 29, 2021

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**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No