

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

ASHOK KUMAR
2021.10.04 16:23
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TA-765-2021

Date of decision: 01.10.2021

KAJAL SAYAL

..Petitioner

Versus

RICKY

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Inderjit Singh, Advocate for the petitioner.
Mr. Chandan S. Rana, Advocate 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.

On 26.08.2021, the following order was passed:-

“This petition has been filed by the wife seeking the transfer of the case bearing No.HMA/1147/2020, titled as “Ricky vs. Kajal Sayal” pending in the Court of Principal Judge, Family Court, Ludhiana, to the Court of competent jurisdiction at Jagadhri, District Yamuna Nagar.

The petitioner claims that she got married to the respondent on 10.02.2017. She claims that presently, she is residing with her parents at Jagadhri, District Yamuna Nagar and the distance between Jagadhri, District Yamuna Nagar and Ludhiana is more than 175 Kms. The petitioner further claims that she cannot properly defend the petition at Ludhiana.

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) COMA/65/2021 under Domestic Violence Act, 2005.
- (iii) FIR No.554/2020. The learned counsel contends that it will be very difficult for the petitioner to travel on each date of hearing.

Notice of motion for 22.09.2021.

The liberty is granted to the petitioner to serve the respondent through his counsel Sh. Davinder Singh Grewal, at District Courts, Ludhiana.

Dasti also.”

Learned counsel for the respondent does not dispute the facts noticed in the aforesaid order.

As the facts noticed in the order dated 26.08.2021 remain uncontroverted, hence, the petition is allowed. The proceedings in petition, bearing No.HMA/1147/2020, (Ricky vs. Kajal Sayal) pending in the Family Court, Ludhiana, are ordered to be transferred to the Court of competent jurisdiction at Jagadhri, Yamuna Nagar. 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, Yamuna Nagar, on 18.10.2021 who shall either decide the matter himself or assign it to the Court of competent jurisdiction at Yamuna Nagar.

All the pending miscellaneous application(s), if any, are also disposed of.

01.10.2021

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)**JUDGE**