

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

**TA-773-2021 (O&M)**

Date of decision: 23.09.2021

Ritu

...Petitioner

Versus

Himanshu

..Respondent

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

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

None for the respondent

**ANIL KSHETARPAL, J (Oral)**

While issuing notice of motion on 27.08.2021, 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 petition filed under Section 13 of the Hindu Marriage Act, 1955, bearing No.2479/2020, titled as 'Himanshu vs. Ritu' pending in the Court of Principal Judge, Family Court, Panipat to the Court of competent jurisdiction at Panchkula.

The petitioner claims that she got married to the respondent on 03.09.2015. She claims that at present, she alongwith her minor child is residing at Panchkula and cannot properly defend the petition at Panipat.

Learned counsel representing the petitioner contends that the respondent-husband is already facing trial in a petition under Section 125 Cr.P.C at Panchkula.

Notice of motion for 23.09.2021.

The liberty is granted to the petitioner to serve the respondent through his counsel Sh. Sandeep Saini, District Court, Panipat.

*Dasti* also.”

As per the office report, the notice issued to the respondent has been received back served through his counsel in the trial court, however, he remains unrepresented.

As the respondent has not entered appearance, therefore, the facts noticed in the order dated 27.08.2021 remain uncontroverted.

In view of the aforesaid order dated 27.08.2021, the transfer application is allowed. It is directed that the proceedings in the petition filed under Section 13 of the Hindu Marriage Act, 1955, bearing No.2479/2020, titled as 'Himanshu vs. Ritu' pending in the Court of Principal Judge, Family Court, Panipat, be transferred to the Court of competent jurisdiction at Panchkula. 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, Panchkula on 11.10.2021, 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.

23.09.2021

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

**(ANIL KSHETARPAL)**  
**JUDGE**