IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

ASHOK KUMAR
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219 TA-781-2021 (O&M)

Date of decision: 24.09.2021

NEERAJ YADAV @ NEERU ..Petitioner

Versus

SUNIL KUMAR ..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Chanderhas Yadav, Advocate for the petitioner.

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ANIL KSHETARPAL, J (Oral)

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

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

On 01.09.2021, the following order was passed:-

> "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.DMC/806/2021, titled as "Sunil Kumar vs. Neeraj Yadav @ Neeru", pending in the Court of Principal Judge, Family Court, Bathinda, to the Court of competent jurisdiction at Rewari.
>
> The petitioner claims that she got married to the respondent on 02.12.2019. She claims that presently, she is residing with her parents at Rewari and the distance between Bathinda and Rewari is approximately 340 Kms. The petitioner further claims that she cannot properly defend the petition at Bathinda.
>
> The learned counsel representing the petitioner places reliance on the following litigations pending in District Courts, Rewari:-
>
> (i) FIR No.41, dated 23.03.2021, registered under Section Under Section 313/34/406/498A/506 IPC, at Police Station Women Rewari, District Rewari.
>
> The learned counsel contends that it will be very difficult for the petitioner to travel on each date of hearing.
>
> Notice of motion for 24.09.2021.
>
> The liberty is granted to the petitioner to serve the respondent through his counsel at District Courts, Bathinda.
>
> Dasti also."

Since the respondent has not entered appearance, therefore, the facts noticed in the order dated 01.09.2021 remain uncontroverted. Hence,

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the petition is allowed. The proceedings of case No.DMC/806/2021 (Sunil Kumar vs. Neeraj Yadav @ Neeru), pending in the Court of Principal Judge, Family Court, Bathinda, are ordered to be transferred to the Court of competent jurisdiction at Rewari. 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, Rewari, on 12.10.2021 who shall either decide the matter himself or assign it to the Court of competent jurisdiction at Rewari.

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

24.09.2021 **(ANIL KSHETARPAL)**
ashok **JUDGE**
Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No