

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

219

TA-778-2021(O&M)
Date of Order: 22.09.2021

ANITA

..Petitioner

Versus

AMAR NATH

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Arvind Kumar Yadav, Advocate
for the petitioner.

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 through trial Court counsel, however, the respondent remains unrepresented.

On 31.08.2021, 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.DMC-394-2021, titled as “Amar Nath Vs. Anita”, pending in the Court of Principal Judge Family Court, Rohtak, to the Court of competent jurisdiction at Rewari, District Rewari.

The petitioner claims that she got married to the respondent on 07.05.1998 and they had have adopted a female child in the year 2012. She claims that presently, she is residing with her parents at Rewari, Haryana. She further claims that she is dependant on her parents and has no independent source of income and the distance between Rohtak and Rewari is 100 Kms. The petitioner further claims that she cannot properly defend the petition at Rohtak.

The learned counsel representing the petitioner 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. Devrat Dalal and Sh. Rajnesh, at District Courts, Rohtak.

Dasti also. ”

Keeping in view the uncontroverted facts noticed in the Order dated 31.08.2021, the petition is allowed.

The petition under Section 13 of the Hindu Marriage Act, 1955, bearing case No.DMC-394-2021, titled as “Amar Nath Vs. Anita”, pending in the Court of Principal Judge Family Court, Rohtak, is ordered to be transferred to the Court of competent jurisdiction at Rewari, District Rewari.

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.

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