

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

ASHISH KUMAR
2021.09.28 10:26
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TA-780-2021 (O&M)

Date of decision: 24.09.2021

KUSUMLATA

..Petitioner

Versus

SANJEEV KUMAR

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ashish Gupta, 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. 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 9 of the Hindu Marriage Act, 1955, titled as “Sanjeev Kumar vs. Kusumlata”, pending in the Court of Principle Judge, Family Court, Kaithal, to the Court of competent jurisdiction at Patiala.

The petitioner claims that she got married to the respondent on 12.03.2018. She claims that presently, she is residing with her parents at Patiala and the distance between Patiala and Kaithal is 75 Kms. The petitioner further claims that she cannot properly defend the petition at Kaithal.

The learned counsel representing the petitioner places reliance on the following litigations pending in the District Courts, Patiala:-

- (i) Under Section 125 Cr.P.C.
- (ii) under Section 12 of the Domestic Violence Act, 2005.
- (iii) FIR under Section 406/498-A IPC.

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, Kaithal.
Dasti also.”

As the respondent has not entered appearance, the facts as
noticed in the order dated 01.09.2021 remain uncontroverted. Hence, the
petition is allowed. The proceedings of petition filed under Section 9 of the
Hindu Marriage Act, 1955, titled as 'Sanjeev Kumar vs. Kusumlata', pending
in the Court of Principal Judge, Family Court, Kaithal, are ordered to be
transferred to the Court of competent jurisdiction at Patiala. 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, Patiala, on 12.10.2021
who shall either decide the matter himself or assign it to the Court of
competent jurisdiction at Patiala .

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

24.09.2021

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE