

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

ASHOK KUMAR  
2021.09.28 15:53  
I attest to the accuracy and  
integrity of this document

233

TA-783-2021 (O&M)

Date of decision: 27.09.2021

ANJU CHAUDHARY YADAV

..Petitioner

Versus

MUKESH KUMAR YADAV

..Respondent

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

Present: Mr. Vishal 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 his trial Court counsel. 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, bearing case No.DMC/299/2020, titled as “Mukesh Kumar Yadav vs. Smt. Anju Chaudhary Yadav”, pending in the Court of Principal Judge, Family Court, Bhiwani, to the Court of competent jurisdiction at Faridabad.

The petitioner claims that she got married to the respondent on 16.11.2005 and they have been blessed with 2 children. She claims that presently, she is residing with her parents at Faridabad and the distance between Bhiwani and Faridabad is more than 150 Kms. The petitioner further claims that she cannot properly defend the petition at Bhiwani.

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

(i) FIR under Section 294/323/506/325/498-A IPC, registered at Police Station Rakhi, Raipur.

The learned counsel representing the petitioner contends that the trial of the case is pending at Raipur and it will be very difficult for the petitioner to travel on each date of hearing.

Notice of motion for 27.09.2021.

The liberty is granted to the petitioner to serve the respondent through his counsel Sh. Sumit Jangra, Advocate, at District Courts, Bhiwani.

Dasti also.”

Since the facts noticed in the order dated 01.09.2021 remain

uncontroverted, therefore, the petition is allowed. The proceedings of case No.DMC/299/2020, (Mukesh Kumar Yadav vs. Smt. Anju Chaudhary Yadav), pending in the Court of Principal Judge, Family Court, Bhiwani, are ordered to be transferred to the Court of competent jurisdiction at Faridabad. 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, Faridabad, on 13.10.2021 who shall either decide the matter himself or assign it to the Court of competent jurisdiction at Faridabad.

All the pending miscellaneous applications, if any, are also disposed of.

27.09.2021

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

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