

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

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208

TA-810-2021

Date of decision: 05.10.2021

RICHA JAIN

..Petitioner

Versus

DEEPANSHU AGGARWAL

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. JS Toor, Advocate for the petitioner.
Mr. Ishan Cooner, Advocate for the respondent.

ANIL KSHETARPAL, J (Oral)

On 07.09.2021, the following order was passed:-

“This petition has been filed by the wife seeking the transfer of the petition filed under Section 13(1a)(ib) of the Hindu Marriage Act, 1955, titled as “Dipanshu Agarwal vs. Smt. Richa Jain”, pending in the Court of Principal Judge, Family Court, Jhajjar, Camp Court at Bahadurgarh, to the Court of competent jurisdiction at Panchkula.

The petitioner claims that she got married to the respondent on 25.02.2020. She claims that presently, she is residing with her parents at Panchkula and the distance between Bahadurgarh and Panchkula is more than 250 Kms. The petitioner further claims that she cannot properly defend the petition at Bahadurgarh.

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

- (i) Under Section 125 Cr.P.C.
- (ii) FIR No.0083 dated 16.07.2021, registered under Section 498-A and 120-B IPC, at Women Police Station, Panchkula.

The learned counsel contends that it will be very difficult for the petitioner to travel on each date of hearing.

Notice of motion for 05.10.2021.

The liberty is granted to the petitioner to serve the respondent through his counsel at Civil Courts, Bahadurgarh, District Jhajjar.

Dasti also.”

Learned counsel for the respondent has opposed the petition.

However, the facts notice in the order dated 07.09.2021 are not disputed, hence, the petition is allowed. The proceedings in petition filed under Section 13(1) (ia) (ib) of the Hindu Marriage Act, 1955, (Dipanshu Agarwal vs. Smt. Richa Jain), pending in the Court of Principal Judge, Family Court, Jhajjar, Camp Court at Bahadurgarh, are ordered to be

TA-810-2021

2
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transferred to the Court of competent jurisdiction at Panchkula. 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, Panchkula, on 21.10.2021 who shall either decide the matter himself or assign it to the Court of competent jurisdiction at Panchkula.

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

05.10.2021

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE