

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

ASHOK KUMAR
2021.10.14 10:38
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TA-812-2021

Date of decision: 12.10.2021

SHEETAL

..Petitioner

Versus

SATENDER SINGH

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Rose Gupta, Advocate for the petitioner.
Mr. Abhimanyu Singh, Advocate for the respondent.

ANIL KSHETARPAL, J (Oral)

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

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 9 of the Hindu Marriage Act, 1955, bearing case No.DMC/127/2020, titled as “Satender Singh vs. Smt. Sheetal”, pending in the Court of Principal Judge, Family Court, Bhiwani, to the Court of competent jurisdiction at Hisar.

The petitioner claims that she got married to the respondent on 13.11.2013 and they have been blessed with two children. She claims that presently, she is residing with her parents at Hisar and the distance between Bhiwani and Hisar is more than 80 Kms. The petitioner further claims that she cannot properly defend the petition at Bhiwani.

The learned counsel representing the petitioner contends that the petitioner-wife previously filed a petition under Section 125 Cr.P.C, which was allowed on 30.07.2019. The learned counsel places reliance on the following litigations pending in District Courts, Hisar:-

(i) Under Section 125(3) Cr.P.C.

(ii) Under Section 12 of the Domestic Violence Act, 2005.

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 Sh. Manpal Singh, at District Courts, Bhiwani.

Dasti also.”

Learned counsel for the respondent states that he has no
objection if the present petition is allowed. However, he submits that the

respondent is open to reconcile the dispute through mediation.

The correctness of the facts noticed in the order dated 07.09.2021 are not disputed. Hence, the petition is allowed.

The petition filed under Section 9 of the Hindu Marriage Act, 1955, bearing case No.DMC/127/2020, titled as “Satender Singh vs. Smt. Sheetal”, pending in the Family Court, Bhiwani, is ordered to be transferred to the Court of competent jurisdiction at Hisar.

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 03.11.2021.

The Family Court, Hisar, is requested to make sincere efforts for reconciling the dispute through mediation.

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

12.10.2021

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE