

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

TA-833-2021 (O&M)

Date of decision: 11.10.2021

Ritu Mangla @ Ritu Rani

...Petitioner

Versus

Vikas Kumar Mangla

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.S.K.Arora, Advocate for the petitioner

Mr. H.S.Rakhra Advocate for the respondent

ANIL KSHETARPAL, J (Oral)

While issuing notice of motion on 10.09.2021, the following order was passed by this Court:-

“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/665/2021, titled as “Vikas Kumar Mangla vs. Ritu Mangla”, pending in the Court of Principal Judge, Family Court, Bathinda Camp Court at Phul, to the Court of competent jurisdiction at Faridkot.

The petitioner claims that she got married to the respondent on 12.01.2017. She claims that presently, she is residing with her aged parents at Faridkot and the distance between Bathinda Camp Court at Phul and Faridkot is more than 62 Kms. The petitioner further claims that she cannot properly defend the petition at Bathinda Camp Court at Phul.

The learned counsel representing the petitioner places reliance on the pendency of the petition filed under Section 13 of the Hindu Marriage Act, 1955, at Faridkot. The learned counsel contends that it will be very difficult for the petitioner to travel on each date of hearing.

Notice of motion for 11.10.2021.

The liberty is granted to the petitioner to serve the respondent through his counsel at Camp Court at Phul, District Bathinda.

Dasti also.”

Sh.H.S.Rakhra, Advocate, has entered appearance on behalf

of the respondent and has contested the petition. However, he does not

dispute the factual aspect noticed in the order dated 10.09.2021.

In view of the aforesaid, the transfer application is allowed.

It is directed that the proceedings in the petition filed under Section 9 of the Hindu Marriage Act, 1955, bearing case No.DMC/665/2021, titled as “Vikas Kumar Mangla vs. Ritu Mangla”, pending in the Court of Principal Judge, Family Court, Bathinda, Camp Court at Phul, be transferred to the Court of competent jurisdiction at Faridkot. The transferor court is directed to remit the file of the case to the transferee court forthwith. The parties through their counsel are directed to appear before the District & Sessions Judge, Faridkot on 03.11.2021, who shall try the case himself or assign the same to the court of competent jurisdiction in the District.

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

11.10.2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE