

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

211

TA-818-2021(O&M)
Date of Order: 07.10.2021

SHILPI SAREEN

..Petitioner

Versus

BHAVIK CHAWLA

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Namit Khurana, Advocate
for the petitioner.

Ms. Sehej Sandhawalia, Advocate
for respondent.

ANIL KSHETARPAL, J(Oral)

The hearing of the case was held through video conferencing as
prayed by the learned counsels.

Ms. Sehej Sandhawalia, Advocate, has entered appearance on
behalf of the respondent.

On 08.09.2021, the following order was passed:-

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

*This petition has been filed by the wife seeking the
transfer of the petition filed under Section 13 of the Hindu
Marriage Act, 1955, bearing case No.HMA/101/2021, titled
as “Bhavik Chawla vs. Shilpi Sareen”, pending in the Court
of Principal Judge, Family Court, Kurukshetra, to the Court
of competent jurisdiction at Yamuna Nagar.*

*The petitioner claims that she got married to the
respondent on 31.01.2020. She claims that presently, she is
residing with her parents at Yamuna Nagar and the distance
between Kurukshetra and Yamuna Nagar is more than 45
Kms. The petitioner further claims that she cannot properly
defend the petition at Kurukshetra.*

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

- (i) Under Section 125 Cr.P.C.*
- (ii) FIR No.189 dated 11.12.2020, registered
under Section 323/406/498-A/506 IPC, at
Women Police Station, Yamuna Nagar.*
- (iii) Under Section 12 of the Domestic Violence
Act, 2005.*
- (iv) Petition under Section 12-A of the Hindu
Marriage Act,1955.*

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

Notice of motion for 07.10.2021.

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

Dasti also. ”

The facts noticed in the order dated 08.09.2021, are not disputed, however, the learned counsel representing the respondent contends that the respondent is residing at Yamuna Nagar, where he has also lodged an FIR.

Be that as it may.

Once the facts noticed in the order dated 08.09.2021, are not disputed, the application is allowed.

The petition under Section 13 of the Hindu Marriage Act, 1955, bearing case No.HMA/101/2021, titled as “Bhavik Chawla vs. Shilpi Sareen”, pending in the Court of Principal Judge, Family Court, Kurukshetra, is ordered to be transferred to the Court of competent jurisdiction at Yamuna Nagar.

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 26.10.2021.

The respondent shall be at liberty to request the respective Presiding Judges to fix a particular date so as to ensure that all the cases are listed on one date.

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

October 07, 2021

(ANIL KSHETARPAL)
JUDGE

Ay

Whether speaking/reasoned

: Yes/No

Whether reportable

: Yes/No