

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

ASHOK KUMAR
2021.10.14 10:40
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TA-824-2021

Date of decision: 12.10.2021

JYOTI

..Petitioner

Versus

SAGAR

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ramnish Puri, Advocate for the petitioner.

Mr. Anuj Sood, 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.

Reply to the petition has been filed and the same is taken on record.

On 09.09.2021, the following order was passed:-

“ This petition has been filed by the wife seeking the transfer of the petition filed under Section 13 of the Hindu Marriage Act, 1955, bearing case No.HMA/579/2021, titled as “Sagar vs. Jyoti”, pending in the Court of District and Sessions Judge, Chandigarh, to the Court of competent jurisdiction at Yamuna Nagar.

The petitioner claims that she got married to the respondent on 18.04.2018. She claims that presently, she is residing with her aged parents at Yamuna Nagar and the distance between Chandigarh and Yamuna Nagar is more than 100 Kms. The petitioner further claims that she cannot properly defend the petition at Chandigarh.

The learned counsel representing the petitioner contends that the petitioner is unemployed and has no source of income. He places reliance on the following litigations pending in District Courts, Yamuna Nagar:-

(i) MNT No.1377 of 2019.

(ii) Complaint No.205/2021, under 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 08.10.2021.

The liberty is granted to the petitioner to serve the respondent through his counsel Sh. Anuj Sood, at District Courts, Chandigarh.

Dasti also.”

The correctness of the facts noticed in the order dated

09.09.2021 are not disputed. Hence, the petition is allowed.

The petition filed under Section 13 of the Hindu Marriage Act,

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1955, bearing case No.HMA/579/2021, titled as “Sagar vs. Jyoti”, pending in the Court of District and Sessions Judge, Chandigarh, 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 03.11.2021.

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