

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

TA No.891 of 2021(O&M)
Date of Decision: 01.11.2021

Shivani

...Petitioner

VERSUS

Amit Kumar Anand

...Respondent

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Gourav Goel, Advocate for the petitioner.

Mr. Davinder Singh, Advocate for the respondent.

ALKA SARIN, J. (Oral)

Heard through video conferencing.

The present petition has been filed by the petitioner-wife seeking transfer of the petition filed by the respondent-husband under Section 13 of the Hindu Marriage Act, 1955, titled as "*Amit Kumar Anand. Vs. Shivani*", pending before the Court of Additional Principal Judge, Family Court, Ludhiana to the Court of competent jurisdiction at Dera Bassi, District SAS Nagar (Mohali).

Learned counsel for the petitioner would contend that presently the petitioner is residing with her parents at Zirakpur and that she has to travel a distance of 117 kms in order to attend the proceedings before the Family Court, Ludhiana. It is further the contention of learned counsel for the petitioner that two cases filed under Section 125 CrPC and Section 12 of the Protection of Women from Domestic Violence Act, 2005, respectively, are already pending in the Court at Dera Bassi, District SAS Nagar (Mohali).

Learned counsel for the respondent has contended that the distance is hardly 117 kms and it is not difficult for the petitioner to travel to the Family Court, Ludhiana and in any case she is not required to be present there on each and every date.

I have heard learned counsel for the parties.

In view of the above and keeping in mind the fact that the petitioner has to travel 117 kms to the Family Court, Ludhiana and also the fact that two cases filed by the petitioner under Section 125 CrPC and Section 12 of the Protection of Women from Domestic Violence Act, 2005, respectively, are already pending at Dera Bassi, District SAS Nagar (Mohali), I deem it appropriate to allow the present petition and to transfer the petition filed by the respondent-husband under Section 13 of the Hindu Marriage Act, 1955 titled as "*Amit Kumar Anand. Vs. Shivani*" pending before the Court of Additional Principal Judge, Family Court, Ludhiana to the Court of competent jurisdiction at SAS Nagar (Mohali).

The records of the case shall be sent by the concerned Court to the Court of Learned District Judge, SAS Nagar (Mohali) and the parties shall appear there on 13.12.2021 (the date fixed in HMA/1883/2021, titled as "*Amit Kumar Anand Vs. Shivani*" at 10.00 a.m.

The present petition is disposed off in the above terms.

November 01, 2021
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(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO