

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

-.-

**TA No.959 of 2021(O&M)
Date of Decision: 15.11.2021**

Sahiba

....Petitioner

VERSUS

Vinay Kaushik

....Respondent

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr.Jivtesh Singh Nagi, Advocate for the petitioner.

ALKA SARIN, J. (Oral)

The present petition under Section 24 of the Code of Civil Procedure, 1908 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 (hereinafter referred to as the 'HM Act') bearing No.DMC/707/2021 titled as "*Vinay Kaushik Vs. Sahiba*" pending in the Court of Additional District Judge, Family Court, Hisar to the Court of competent jurisdiction at Gurugram.

Learned counsel for the petitioner would contend that presently the petitioner is residing with her parents at Gurugram and that she has to travel a distance of about 173 kms in order to attend the proceedings before the District Court, Hisar and it would be difficult for her to defend the case properly at Hisar. It is further the contention of learned counsel for the petitioner that a complaint before the ACP (CAW Cell) is pending at Gurugram.

As per the office report, the respondent has been served. However, no one has put in appearance on his behalf, despite the matter being called twice. The respondent is, hence, proceeded against ex-parte.

I have heard learned counsel for the petitioner.

In view of the above and keeping in view the fact that the petitioner-wife in the present case is residing at Gurugram and would have to travel 173 kms one way in order to attend the proceedings before the Family Court at Hisar on every date of hearing and also the fact that a complaint before the ACP (CAW Cell) is pending at Gurugram, I deem it appropriate to allow the present petition and to transfer the petition filed by the respondent-husband under Section 13 of the HM Act bearing No.DMC/707/2021 titled as "*Vinay Kaushik Vs. Sahiba*" pending in the Court of Additional District Judge, Family Court, Hisar to the Court of competent jurisdiction at Gurugram

The records of the case shall be sent by the concerned Court to the Court of the learned District Judge, Gurugram and the parties shall appear there on **05.12.2021** at 10.00 a.m.

The present petition is disposed off in the above terms.

November 15, 2021
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(ALKA SARIN)
JUDGE

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