

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

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**TA No.957 of 2021(O&M)
Date of Decision: 15.11.2021**

Reena

....Petitioner

VERSUS

Ramesh Kumar

....Respondent

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Tarun Sharma, 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/192/2020 titled as "*Ramesh Kumar Vs. Reena*" pending in the Court of Principal Judge, Family Court, Ferozepur to the Court of competent jurisdiction at Hoshiarpur.

Learned counsel for the petitioner would contend that presently the petitioner is residing with her parents at Hoshiarpur and that she has to travel a distance of about 194 kms in order to attend the proceedings before the District Court, Ferozepur and it would be difficult for her to defend the case properly at Ferozepur. It is further the contention of learned counsel for the petitioner that a petition under Section 125 CrPC is already pending at District Courts at Hoshiarpur.

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 parties.

In view of the above and keeping in view the fact that the petitioner-wife in the present case is residing at Hoshiarpur and would have to travel 194 kms one way in order to attend the proceedings before the Family Court at Ferozepur on every date of hearing and also the fact that a petition under Section 125 CrPC filed by the petitioner is already pending at Hoshiarpur, where the respondent-husband is already appearing, I deem it appropriate to allow the present petition and to transfer the petition filed by respondent-husband under Section 13 of the HM Act bearing No.DMC/192/2020 titled as "*Ramesh Kumar Vs. Reena*" pending in the Court of Principal Judge, Family Court, Ferozepur to the Court of competent jurisdiction at Hoshiarpur.

The records of the case shall be sent by the concerned Court to the Court of the learned District Judge, Hoshiarpur and the parties shall appear there on **26.11.2021** 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