

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

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**TA No.962 of 2021(O&M)
Date of Decision: 16.11.2021**

Poonam

....Petitioner

VERSUS

Himanshu

....Respondent

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Ms. Shaweta Sanghi, Advocate for
Mr. Lokesh Sharma, Advocate for the petitioner.

ALKA SARIN, J. (Oral)

Taken up through video conferencing.

The present petition under Sections 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 9 of the Hindu Marriage Act, 1955 (hereinafter referred to as the 'HM Act') titled as "*Himanshu Vs. Poonam*" pending in the Court of Additional Principal Judge, Family Court, Jind to the Court of competent jurisdiction at Dabwali.

Learned counsel for the petitioner would contend that presently the petitioner is residing with her parents at Village Khuyan Malkana, District Sirsa and that she has to travel a distance of about 188 kms in order to attend the proceedings before the Family Court, Jind and it would be difficult for her to contest the case properly at Jind. It is further the contention of learned counsel for the petitioner that a petition under Section 125 CrPC is already pending at the District Courts at Dabwali.

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 Village Khuyan Malkana, District Sirsa and would have to travel 188 kms one way in order to attend the proceedings before the Family Court at Jind on every date of hearing and also the fact that a petition under Section 125 CrPC is already pending at Dabwali, where the respondent-husband is already appearing, I deem it appropriate to allow the present petition and to transfer the petition filed by the respondent-husband under Section 9 of the HM Act titled as "*Himanshu Vs. Poonam*" pending in the Court of Additional Principal Judge, Family Court, Jind to the Court of competent jurisdiction at Dabwali, District Sirsa.

The records of the case shall be sent by the concerned Court to the Court of the learned District Judge, Sirsa and the parties shall appear there on **09.12.2021** at 10.00 a.m.

The present petition is disposed off in the above terms.

November 16, 2021
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(ALKA SARIN)
JUDGE

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