

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

-:-

TA No.1058 of 2021(O&M)

Date of Decision: 17.12.2021

Renu Bala

...Petitioner

VERSUS

Naresh

...Respondent

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Nitish Singla, Advocate for the petitioner.

None for the respondent.

ALKA SARIN, J. (Oral)

Taken up in physical mode.

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 9 of the Hindu Marriage Act, 1955 (hereinafter referred to as the 'HM Act') bearing No.DMC-586/2021 titled as "*Naresh Kumar Goyal Vs. Renu Bala*" pending in the Court of Additional Principal Judge, Family Court, Bathinda to the Court of competent jurisdiction at Mansa.

Learned counsel for the petitioner would contend that presently the petitioner along with her minor daughter is residing with her parents at Mansa and that she has to travel a distance of about 90 kms in order to attend the proceedings before the Family Court at Bathinda. It is further contended that the petitioner has no independent source of income, hence, it would not be feasible for her, financially or otherwise, to travel all the way to Bathinda. It is further the contention that a petition filed by the petitioner under Section 125 CrPC is pending at Mansa.

No one had put in appearance on behalf of the respondent on the last date of hearing, despite service. Today again none has appeared on behalf of the respondent. The respondent is, hence, proceeded against ex-parte.

I have heard learned counsel for the petitioner.

In the present case the petitioner along with her minor daughter is residing with her parents at Mansa and would have to travel a distance of about 90 kms in order to attend the proceedings before the Family Court at Bathinda. The petitioner is stated to have no independent source of income. Additionally, a petition under Section 125 CrPC is also pending at Mansa.

In view of the above, 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 bearing No. DMC-586/2021 titled as "*Naresh Kumar Goyal Vs. Renu Bala*" pending in the Court of Additional Principal Judge, Family Court, Bathinda to the Court of competent jurisdiction at Mansa.

The records of the case shall be sent by the concerned Court to the Court of the learned District Judge, Mansa and the parties shall appear there on 18.03.2022 (date fixed in DMC-586/2021) at 10.00 a.m.

The present petition is disposed off in the above terms.

December 17, 2021
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(ALKA SARIN)
JUDGE

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