

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

TA-1109-2019 (O&M)

Date of decision: 06.10.2021

Kamlesh

...Petitioner

Versus

Abhishek

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Shubhashish Kukreti, Advocate for the petitioner

Mr. Karan Kaushal, Advocate for the respondent

ANIL KSHETARPAL, J (Oral)

The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

This is wife's petition under Section 24 of the Code of Civil Procedure, 1908, seeking the transfer of the proceedings in a petition filed under Section 12(1)(a) & 12 (1) (c) of the Hindu Marriage Act, 1955, bearing HMA 1066 of 2019 titled as 'Abhishek vs. Kamlesh' pending in the Court of the Additional Principal Judge, Family Court, Karnal, to the Court of competent jurisdiction at Bathinda.

The petitioner claims that she got married to the respondent on 19.04.2019. She claims that presently she is residing with her aged parents at Bathinda. The petitioner further claims that she is unable to properly defend the petition at Karnal as the distance between Karnal and Bathinda is 300 kms.

Sh. Karan Kaushal, Advocate, has entered appearance on behalf of the respondent and has contested the petition. However, he does not dispute the factual aspect noticed above.

In view of the aforesaid, the transfer application is allowed.

It is directed that the proceedings in the petition filed under Section 12(1)(a) & 12 (1) (c) of the Hindu Marriage Act, 1955, bearing HMA 1066 of 2019 titled as 'Abhishek vs. Kamlesh' pending in the Court of the Additional Principal Judge, Family Court, Karnal, be transferred to the Court of competent jurisdiction at Bathinda. The transferor court is directed to remit the file of the case to the transferee court forthwith. The parties through their counsel are directed to appear before the District & Sessions Judge, Bathinda, on 22.10.2021, who shall either try the case himself or assign the same to the court of competent jurisdiction in the District.

All the pending miscellaneous applications, if any, are also disposed of.

06.10.2021

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE