

TA-69-2022 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

TA-69-2022 (O&M).
Decided on: 11.07.2022.

Preeti Thakur

.. Petitioner

VERSUS

Avinav Thakur

.. Respondent

* * *

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

* * *

PRESENT Mr.Vivek K.Thakur, Advocate,
for the petitioner.

Mr.K.S.Saini, Advocate,
for the respondent.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for transfer of the petition filed by the respondent-husband under Section 9 of the Hindu Marriage Act, titled as “Avinav Thakur Vs. Preeti Thakur” HMA No.629 of 2021, pending in the Court of learned Principal Judge, Family Court, S.A.S. Nagar, to the competent Court of jurisdiction at Rupnagar.

Counsel for the petitioner submits that out of the matrimonial discord, the petitioner has filed a petition under Section 125 Cr.P.C., as well as a complaint under Section 12 of the Protection of Women from Domestic Violence Act, which are pending before the learned Family

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Court, at Rupnagar. Counsel further submits that a female child was born out of this wedlock who is in the care and custody of the petitioner. He further submits that now the respondent has filed a petition under Section 9 of the Hindu Marriage Act, at S.A.S.Nagar, and the petitioner who is having no independent source of income, is unable to attend the Court and cannot attend the same with the help of a male member and has to incur expenses for the same.

The aforesaid facts could not be disputed by the learned counsel for the respondent that the aforesaid two proceedings are pending at Rupnagar Courts.

After hearing the learned counsel for the petitioner and considering the facts and circumstances of this case, the present petition is allowed. The petition filed by the respondent-husband under Section 9 of the Hindu Marriage Act, titled as “Avinav Thakur Vs. Preeti Thakur” HMA No.629 of 2021, pending in the Court of learned Principal Judge, Family Court, S.A.S. Nagar, will be transferred to the competent Court of jurisdiction at Rupnagar.

July 11, 2022.

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(ARVIND SINGH SANGWAN)

JUDGE

Whether speaking / reasoned

Yes / No

Whether reportable

Yes / No