

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

**TA No. 599 of 2022
Date of decision: 08.07.2022**

Manu Bala

...Applicant

Versus

Akhil Kumar

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Umesh Aggarwal, Advocate
for the applicant.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this application is for transfer of petition filed by the respondent-husband under Section 13 of the Hindu Marriage Act, 1955 bearing DMC No. 992/2022, instituted on 30.05.2022, titled as ***Akhil Kumar vs. Manu Bala***, which is pending in the Court of Principal Judge, Family Court at Jalandhar to a competent Court of law at Amritsar.

Learned counsel for the applicant, at the very outset, submits that on 20.05.2022, the applicant has filed a petition under Section 125 Cr.P.C. at Amritsar and as a counter-blast to the same, the respondent-husband has filed the aforesaid petition under Section 13 of the Hindu Marriage Act, 1955 at Jalandhar.

Learned counsel for the applicant further submits that the applicant has meagre source of income; she cannot engage a lawyer and she cannot travel to & fro from Jalandhar to contest the aforesaid case.

After hearing learned counsel for the applicant and perusing the record, the present application is allowed.

The petition filed by the respondent-husband under Section 13

of the Hindu Marriage Act, 1955 bearing DMC No. 992/2022 pending before the Court of the Principal Judge, Family Court at Jalandhar is directed to be transferred to a competent Court of law at Amritsar.

Liberty is granted to respondent-husband to revive this application in case he wants to contest the same, however, this will be subject to a condition that at the first instance, he will clear all the outstanding arrears, if any, in terms of any order passed in the proceedings under Section 125 Cr.P.C. and will also bring a demand draft of Rs. 25,000/- in favour of the applicant-wife towards the litigation expenses, in case she appears before the Court at Jalandhar.

08.07.2022*Waseem Ansari***(ARVIND SINGH SANGWAN)
JUDGE***Whether speaking/reasoned**Yes/No**Whether reportable**Yes/No*