

In the High Court of Punjab and Haryana, at Chandigarh

Transfer Application No. 976 of 2021

Date of Decision: 21.02.2022

Rachna

... Petitioner(s)

Versus

Jagdish Singh

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Susheel Gautam, Advocate
for the petitioner(s).

Mr. Susheel Kumar Verma, Advocate
for the respondent.

Anil Kshetarpal, J.

1. While issuing notice of motion on 07.10.2021, the following order was passed:-

“This petition has been filed by the wife seeking the transfer of the petition filed under Section 9 of the Hindu Marriage Act, 1955, bearing case No.HMA/568/2021, titled as "Jagdish Singh vs. Rachna", pending in the Court of Principal Judge, Family Court, Sirsa, to the Court of competent jurisdiction at Panipat.

The petitioner claims that she got married to the respondent on 02.03.2014 and they have been blessed with a male child. She claims that presently, she is residing with her parents at Panipat, and the distance between Sirsa and Panipat, is more than 200 Kms. The petitioner further claims that she cannot properly defend the petition, at Sirsa.

The learned counsel representing the petitioner places reliance on the following litigations pending in District Courts,

Panipat:-

(i) *Under Section 125 Cr.P.C.*

(ii) *Application/complaint before Station House Office, Police Station Chandni Bagh, Panipat.*

The learned counsel representing the petitioner contends that it will be very difficult for the petitioner to travel on each date of hearing.

Notice of motion for 17.11.2021.

The liberty is granted to the petitioner to serve the respondent through his counsel Sh. P.S.Chauhan, at District Courts, Sirsa.

Dasti also”.

2. The facts noticed in the order dated 07.10.2021 remains uncontroverted. Hence, the present application is allowed. The proceedings of case "**Jagdish Singh vs. Rachna**", under **Section 9 of the Hindu Marriage Act, 1955**, presently pending in the Court of Principal Judge, Family Court at Sirsa, are transferred to the Court of competent jurisdiction at Panipat. The transferor Court is requested to remit the file of the aforesaid case to the transferee Court forthwith. The parties, through their learned counsel, are directed to appear before the Court of District and Sessions Judge at Panipat on 08.03.2022, who may either try the case himself or assign it to any other Presiding Judge having the jurisdiction to decide the same.

(Anil Kshetarpal)
Judge

February 21, 2022

“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No