

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

225

TA-1065-2021

Date of Order: 24.02.2022

MONIKA GULIA

..Petitioner

Versus

DEEPAK

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Mohit Rathee, Advocate
for the petitioner.

ANIL KSHETARPAL, J(Oral)

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

On 17.02.2022, the Court noticed that the respondent despite service of notice has not entered appearance.

The petitioner is a respondent's wife. She prays for transfer of the proceedings in a petition filed under Section 7 of the Guardian and Wards Act, 1890, for the custody of a minor child who is residing with the petitioner at Jhajjar, Haryana.

On 17.11.2021, while issuing notice of motion, the following facts were noticed:-

*“Taken up through video conferencing
Learned counsel for the petitioner would contend that a petition under Section 7 of the Guardian and Wards Act, 1890 bearing case no.GW/60/2019 has been filed by the respondent-husband at Rohtak whereas the petitioner is residing with her minor child at Jhajjar. It has further been contended that there are two other cases initiated by the petitioner under Section 125 Code of Criminal Procedure, 1973 and Section 12 of the Protection of Women from Domestic Violence Act, 2005 which are pending at Jhajjar.*

Notice of motion returnable for 14.12.2021.

Dasti as well.

Liberty to serve through the counsel representing the respondent in the Court below.”

The respondent has not entered appearance therefore, the facts noticed in the order dated 17.11.2021 remain uncontroverted.

Hence, the application is allowed.

The petition filed under Section 7 of the Guardian and Wards Act, 1890, bearing case No.GW/60/2019, titled as “Deepak Vs. Monika Gulia”, pending in the Court of Additional Principal Judge, Family Court, Rohtak, is ordered to be transferred to the Family Court at Jhajjar.

The transferor Court is requested to remit the case file to the transferee Court forthwith.

The petitioner through her counsel is directed to appear before the transferee Court on 10.03.2022.

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

February 24th, 2022

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**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No