

TA-1191-2021

Date of decision: 25.03.2022

Menka

.... Petitioner

Versus

Sonu

.... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Bhupander Ghanghas, Advocate
for the petitioner.

Mr. Raman Chawla, Advocate
for the respondent.

Manjari Nehru Kaul, J. (Oral)

By filing instant petition under Section 24 of CPC for transfer of petition under Section 13(1)(ia) of Hindu Marriage Act filed by the respondent titled as Sonu vs. Menka from the Principal Judge, Family Court, Bhiwani Camp Court at Loharu to the Court of competent jurisdiction at Hansi.

The sole submission for seeking transfer of the case in question made by learned counsel for the applicant is that the applicant has no source of income and is living at the mercy of her parents. Hence, it would be difficult for her to travel to Loharu from Hansi on each and every date of hearing in the petition filed under Section 13(1)(ia) of Hindu Marriage Act. Besides this, learned counsel also submits that three other cases i.e. a criminal complaint, petition under Section 12 of the Protection of Women from Domestic Violence Act, 2005 and petition under Section 125 Cr.PC are already pending at Hansi between the parties wherein the respondent has been appearing.

Learned counsel for the respondent submits that the distance between Loharu and Hansi is not more than 100 kms and there are excellent transport facilities between the two places. Hence, it would not cause any inconvenience to the applicant to travel to Loharu on each and every date of hearing. He, however, has not been able to dispute that in the other cases pending between the parties, the respondent has been regularly appearing.

Heard learned counsel and perused the relevant material on record.

In the facts and circumstances as discussed hereinabove, the ends of justice would be met in case the present petition is allowed.

Accordingly, the present petition is allowed. The petition HMA Case DMC/56/2021 filed under Section 13(1)(ia) of Hindu Marriage Act, 1955 for dissolution of marriage by way of decree of divorce titled as **Sonu vs. Menka** pending in the Court of Principal Judge, Family Court Bhiwani, Camp Court at Loharu is withdrawn from that Court and transferred to the Court of competent jurisdiction at Hansi for disposal in accordance with law as it is still at the initial stage. The parties through their counsel are directed to appear before the Court concerned at Hansi on 29.04.2022.

25.03.2022
sonia

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/non-speaking?	Yes/No
Whether reportable?	Yes/No