

In the High Court of Punjab and Haryana, at Chandigarh

Transfer Application No. 1220 of 2021

Date of Decision: 21.02.2022

Neeru

... Petitioner(s)

Versus

Vineet

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Rujhan Dhawan, Advocate
for the petitioner(s).

Mr. Rajesh Dhankhar, Advocate
for the respondent.

Anil Kshetarpal, J.

1. While issuing notice of motion on 10.12.2021, the following order was passed:-

“This petition has been filed by the wife seeking transfer of the petition under Section 13 of the Hindu Marriage Act, 1955 titled as “Vineet v. Neeru”, pending in the Court of the Principal Judge, Family Court, Rohtak to the Court of competent jurisdiction at Charkhi Dadri.

The petitioner claims that she got married to the respondent on 29.06.2020 and they have been blessed with a female child. She further claims that presently she is residing with her parents at Charkhi Dadri, which is at a distance of approximately 70 Kms. from Rohtak and she has no independent source of income. The petitioner further claims

that she cannot properly defend the petition at Rohtak.

Notice of motion for 07.01.2022.

Process dasti as well.

The liberty is granted to the petitioner to serve the respondent through his counsel in the trial Court”.

2. Mr. Rajesh Dhankhar, Advocate, has entered appearance and submitted that the respondent is ready to bear the travelling expenses of the petitioner.

From the reading of the order, it is obvious that the petitioner is a lactating mother.

3. Keeping in view the aforesaid facts, the present application is allowed. The proceedings of case “**Vineet v. Neeru**”, under **Section 13 of the Hindu Marriage Act, 1955**, presently pending in the Court of Principal Judge, Family Court at Rohtak, are transferred to the Court of competent jurisdiction at Charkhi Dadri. 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 Charkhi Dadri on 08.03.2022, who shall 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