

TA-253-2020 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

TA-253-2020 (O&M).
Decided on: 11.07.2022.

Indu

.. Petitioner

VERSUS

Sonu Saini

.. Respondent

* * *

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

* * *

**PRESENT Mr.D.S.Nain, Advocate,
for the petitioner.**

ARVIND SINGH SANGWAN, J. (ORAL)
CM-4649-CII-2020

Prayer in this application is for condoning the delay of 22 days in refiling the present transfer petition.

For the reasons stated in the application, the same is allowed. Delay of 22 days in refiling the present transfer petition is condoned.

Main case

Prayer in this petition is for transfer of the petition filed by the respondent-husband under Section 24 of the Hindu Marriage Act, titled as “Sonu Saini Vs. Indu” HMA No.248 of 2019, pending in the Court

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of learned Additional Principal Judge, Family Court, Karnal, to the competent Court of jurisdiction at Kaithal.

As per the averments in the present petition, two children were born out of this wedlock who are minor and are under the care and custody of the petitioner-wife.

Counsel for the petitioner submits that the petitioner has already filed an application under Section 125 Cr.P.C. as well as an application under Section 12 of the Protection of Women from Domestic Violence Act, which are pending before the Family Court, Kaithal and now the respondent-husband has filed a petition under Section 9 of the Hindu Marriage Act, titled as “Sonu Saini Vs. Indu” HMA No.248 of 2019, pending in the Court of learned Additional Principal Judge, Family Court, Karnal. Counsel for the petitioner further submits that that the petitioner has no source of income and she is taking care of the minor children and cannot travel alone to attend the Court proceedings and she has to take the help of a male family member and in that process, the petitioner has to spend huge amount as the respondent-husband has failed to maintain the petitioner-wife as well as the minor children.

After hearing the learned counsel for the petitioner and considering the facts and circumstances of this case, the present petition is allowed. The petition filed by the respondent-husband under Section 9 of the Hindu Marriage Act, titled as “Sonu Saini Vs. Indu” HMA No.248 of 2019, pending in the Court of learned Additional Principal Judge, Family Court, Karnal, will be transferred to the competent Court of jurisdiction at Kaithal.

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July 11, 2022.
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(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking / reasoned
Whether reportable

Yes / No
Yes / No