

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

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TA-943-2023 (O&M)
Date of decision: 06.10.2023

Praveen Kumar

...Petitioner

Versus

Ritu Kumari

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Raman Mahajan, Advocate
for the petitioner.

Mr. Vikas Malik, Advocate (Legal Aid Counsel)
for the respondent.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this petition is for transfer of the petition filed by the respondent-wife under Section 9 of the Hindu Marriage Act, 1955 (*for short 'HMA'*), pending before the Family Court, Gurugram to the competent Court of jurisdiction at Faridabad.

Learned counsel for the respondent-wife submits that the petitioner-husband and parents-in-law of the respondent-wife have filed three litigations at Faridabad, details of which are as under:

Sr. No.	Case Number	Case Title	Next Date Fixed
1	Civil Suit No. 3783/2022	Bharat Singh vs. Ritu Kumari	15.11.2023
2	COMA/531/2022	Krishna Devi vs. Ritu Kumari	22.11.2023
3	HMA/2/2023	Praveen Kumar vs. Ritu Kumari	21.11.2023

Learned counsel for the respondent-wife further submits that since the respondent-wife does not have the sufficient means to defend the

case at Faridabad, all the aforesaid three cases pending at Faridabad may be transferred to the competent Court of jurisdiction at Gurugram as three other litigations, filed by the respondent-wife, are already pending at Gurugram, i.e. a petition under Section 9 HMA, a petition under the DV Act and a petition under Section 125 Cr.P.C.

During the course of arguments, learned counsel for the parties have mutually agreed that the aforesaid cases, pending at Faridabad, may be transferred to the competent Court of jurisdiction at Gurugram, where the respondent-wife is residing with the minor son.

In view of the same, the present petition is disposed of with the following directions:-

- (i) *All the aforesaid three cases, pending at Faridabad will be transferred to the competent Court of jurisdiction at Gurugram.*
- (ii) *The District Judge, Gurugram will assign the said cases to the competent Court of jurisdiction.*
- (iii) *The Courts at Faridabad are directed to transfer all the record pertaining to the aforesaid cases to District Judge, Gurugram.*
- (iv) *The parties are directed to appear before the trial Court at Gurugram within a period of 01 month from today.*
- (v) *The Courts concerned, where the cases are pending between the parties, will accommodate them with one date in a calendar month.*

06.10.2023

Waseem Ansari(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No