

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

Case:- TrP (C) No. 53/2023
CM Nos. 7317/2023 & 6727/2023

Jigyasa Puri

.....Appellant(s)/Petitioner(s)

Through: Mr. Rajiv Kumar Sharma, Advocate.

Vs

Kanav Mahajan

..... Respondent(s)

Through: Mr. Kamal Magotra, Advocate.

Coram: HON'BLE MR. JUSTICE JAVED IQBAL WANI, JUDGE

ORDER

(29.01.2024)

1. Through the medium of the instant petition, the petitioner herein seeks transfer of the proceedings titled as “Kanav Mahajan Vs. Jigyasa Puri” instituted by the respondent herein under the provisions of the Hindu Marriage Act against the petitioner herein from the court of District Judge, Samba to the court of Principal Judge (Family Court), Jammu *inter alia* on the grounds that the petitioner herein being the defendant in the said proceedings is not able to contest the same on account of health issues as also the threat perception being extended by the respondent herein.

2. Upon coming of the matter for consideration, the learned counsel for the respondent conceded to the petition and sought its disposal at this stage with the prayer that upon transfer of the proceedings from the District Judge, Samba to the Principal Judge (Family Court), Jammu, the transferee court be directed to dispose of the proceedings expeditiously without any delay.

3. Having regard to the submissions made by the appearing counsel for the parties, the instant petition is taken up for final disposal at this stage and is disposed of as follows:

(i) The proceedings titled as “Kanav Mahajan Vs. Jigyasa Puri” being file No. 40/2023 pending before the court of the District Judge, Samba are withdrawn and consequently transferred to the court of Principal Judge (Family Court), Jammu for disposal in accordance with law.

(ii) The transferee court, upon receipt of the matter, shall make every effort to dispose of the matter as expeditiously as possible.

(iii) The court of the District Judge, Samba is directed to transmit the record of the case to the transferee court forthwith.

4. The parties shall appear before the transferee court on 26.02.2024.

Disposed of, accordingly.

(JAVED IQBAL WANI)
JUDGE

JAMMU
29.01.2024
Shivalee

Whether the order is speaking: Yes/No
Whether the order is reportable: Yes/No