

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

129

Criminal Misc. No. M-11326 of 2024

Date of decision :-04.03.2024

Monica Chaudhuri and another

.....Petitioners

Versus

Abhishek Chaudhuri

.....Respondent

CORAM:- HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Nimanyu Gautam, Advocate
for the petitioners.

NIDHI GUPTA J. (Oral)

Prayer in this petition is for issuance of direction to the learned Chief Judicial Magistrate, Chandigarh to decide the MNT125/109/2023 dated 24.3.2023, titled as 'Monica Chaudhuri and another vs. Abhishek Chaudhuri (transferred from the Court of learned Principal Judge, Family Court, Ferozepur MNT/408/2021 dated 31.05.2021 vide order dated 09.02.2023 (Annexure P-8) passed by Hon'ble Supreme Court of India in Transfer Petition (Civil) No.718 of 2022) Annexure P-1 filed by the petitioners against the respondent.

Learned counsel for the petitioners at the very outset admits that the present case was transferred from the Family Court, Ferozepur vide order dated 09.2.2023, passed by the Hon'ble Supreme Court of India (Annexure P-8). It is admitted that the present case, bearing No. MNT125/109/2023 dated 24.3.2023, titled as 'Monica Chaudhuri and another vs. Abhishek Chaudhuri, is pending before the

Chief Judicial Magistrate, Chandigarh only since 24.3.2023. Learned counsel for the petitioners submits that the respondent is not even paying the interim maintenance.

In view of the above, since the matter has been transferred to the Court of the Chief Judicial Magistrate, Chandigarh only on 24.03.2023 and perusal of the zimni orders annexed at Annexure P-10 collectively in this petition, passed by the Additional Chief Judicial Magistrate, Chandigarh itself reveals that the proceedings in the case are going on rightly and no unnecessary adjournment is being given in the matter.

In view of the above, no case for issuance of any direction to the learned Additional Chief Judicial Magistrate, Chandigarh, as prayed for, is made out.

The petition is hereby dismissed.

March 04, 2024

Vijay Asija

**(NIDHI GUPTA)
JUDGE**

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No