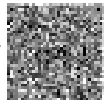


**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

116

2024.PHHC:145024



TA-381-2024

Date of decision: 08.11.2024

POONAM

..Petitioner

Versus

RAKESH ALIAS TIKKU

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Manish Dhankar, Advocate for the petitioner.

None for the respondent.

ANIL KSHETARPAL, J(Oral)

1. As per the office report, notice of the transfer application issued to respondent has been received back served, however, he failed to enter appearance.

2. This transfer application has been filed by the respondent's wife (the petitioner herein) with a prayer to transfer HMA/227/2023, titled as "Rakesh Vs. Poonam", filed under Section 13 of Hindu Marriage Act, 1955, presently pending in the Court of learned Principal Judge, Family Court, Jind, to any other competent Court at District Karnal, which is at a distance of 75kms. The petitioner alleges that she is in custody of a daughter aged 4 years and she does not have wherewithal to travel around 75kms to defend the proceedings at District Jind;

3. It has been brought to the notice of the Court that proceedings in FIR No.660 dated 17.09.2020, registered under Section 323, 406, 498-A of IPC, at Police Station Gharaunda, District Karnal against the respondent-husband and his family members is pending adjudication at District Karnal.

Apart from these, proceedings under Protection of Women from Domestic Violence Act, 2005, are also pending at District Karnal.

4. Keeping in view the aforesaid facts, the transfer application is allowed.
5. The petition bearing No.HMA/227/2023, titled as “Rakesh Vs. Poonam”, filed under Section 13 of Hindu Marriage Act, 1955, presently pending before learned Principal Judge, Family Court, Jind, is ordered to be transferred to the Court of competent jurisdiction at District Karnal.
6. The transferor Court is requested to remit the case file to the transferee Court forthwith.
7. The parties through their counsel are directed to appear before the transferee Court on 04.12.2024.

November 08th, 2024
Ay

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*