

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

112

TA-496-2024

Date of Decision: 22.04.2024

Sonia

...Petitioner

Versus

Varinder Kumar

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present:- Mr. Gautam Kailey, Advocate,
for the petitioner.

VIKAS SURI, J. (ORAL)

1. Prayer in this transfer application filed under Section 24 CPC is for transfer of the petition filed under Section 11 of the Hindu Marriage Act, 1955, by the respondent-husband, titled as *Varinder Kumar vs. Sonia*, pending before the learned Principal Judge, Family Court, Samrala, to a Court of competent jurisdiction at Yamuna Nagar.
2. At the very outset, learned counsel for the petitioner submits that the petitioner had received a notice (Annexure P-1) in the above referred case to put in appearance before the Family Court, Samrala, for 27.03.2024. It has now transpired from the case status on e-Courts Services web portal that the said proceedings have now been deferred to 03.07.2024, for plaintiff's evidence and it is evident therefrom that the petitioner has been proceeded against *ex parte* for having defaulted in appearing before the Family Court.
3. The present petition has been instituted on 08.04.2024 i.e. after the petitioner was proceeded against *ex parte* in the aforesaid proceedings. A perusal of the paper-book would show that the Power of Attorney and the

affidavit in support of the petition have been signed on 09.04.2024, by which date the petitioner had already been proceeded against *ex parte*.

4. In view of the above, learned counsel for the petitioner prays for withdrawal of the present petition with liberty to first avail remedy against the aforesaid order whereby the petitioner has been proceeded against *ex parte*.

5. Dismissed as withdrawn with liberty aforesaid.

April 22, 2024

shruti

(VIKAS SURI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No