

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

102

TA-479-2024

Date of Decision: 19.04.2024

Balwinder Kaur

...Petitioner

Versus

Jitender Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present:- Mr. Yagsimant Attri, Advocate,
for the petitioner.

VIKAS SURI, J. (ORAL)

1. Prayer in this petition is for transfer of the petition filed by the respondent-husband under Section 13 of the Hindu Marriage Act, 1955, pending before the learned Principal Judge, Family Court, Sirsa, to a Court of competent jurisdiction at Budhlada, District Mansa.
2. At the very outset, learned counsel for the petitioner submits that the petitioner had received a notice (Annexure P-3) in the above referred case to put in appearance before the Family Court, Sirsa, for 08.04.2024. The said Court is at the distance of about 69 Kms from the place of residence of the petitioner at Boha, Mansa. It has now transpired from the case status on e-Courts Services web portal that the said proceedings have now been deferred to 22.08.2024, for 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 10.04.2024 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. 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 Dismissed as withdrawn with liberty aforesaid.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 19, 2024
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(VIKAS SURI)
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No