

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

101

TA-629-2022 (O&M)
Date of Decision: 15.01.2024

Navjot Kaur Cheema
...Petitioner

Versus

Vikram Singh Bhangu
...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. M.S. Sidhu, Advocate,
for the petitioner.

Mr. Vishal Sharma, Advocate,
for the respondent.

VIKAS SURI, J. (Oral)
CM-23530-CII-2023

This is an application under Section 151 CPC, filed by the respondent, for advancing the date of hearing of the main case from 05.02.2024 to an early date.

It is pleaded in para 5 of the application that the respondent-husband has no objection if the petition under Section 13(1)(a) [*sic*-(ia)] and (ib) of the Hindu Marriage Act, 1955, pending in the Court of Additional Principal Judge, Family Court, Ludhiana, is transferred to any Court of competent jurisdiction at Kapurthala.

Notice of the application to learned counsel for the petitioner.

Mr. M.S. Sidhu, Advocate, accepts notice on behalf of the petitioner/non-applicant and submits that the petitioner has no objection to

the prayer made in the instant application being granted and the main case being taken up for consideration today itself.

Accordingly, the present application is allowed and the hearing of the main case is preponed from 05.02.2024 to today and with the consent of learned counsel for the parties, the same is taken on board for consideration.

CM stands disposed of.

TA-629-2022

1. The petitioner-wife through this petition under Section 24 of the Code of Civil Procedure, 1908, seeks transfer of the petition filed by the respondent-husband under Section 13(1)(ia) and (ib) of the Hindu Marriage Act, 1955, for dissolution of marriage of the parties by a decree of divorce, titled as *Dr. Vikram Singh Bhangu vs. Dr. Navjot Kaur Cheema* (CNR No.PBLD01-028393-2019), pending in the Court of Shri Mohit Bansal, Additional Principal Judge, Family Court, Ludhiana, to a Court of competent jurisdiction at Kapurthala.

2. Learned counsel for the petitioner submits that the instant petition deserves to be accepted in view of the no objection for transfer of the above captioned petition to any Court of competent jurisdiction at Kapurthala, pleaded in the application bearing No. CM-23530-CII-2023 supported by affidavit.

3. Heard learned counsel for the parties and perused the record with their assistance.

4. Learned counsel for the parties are *ad idem* that in view of the consensus arrived at between the parties, the above captioned proceedings be

transferred to a Court of competent jurisdiction at Kapurthala and the same having been pending since long, they jointly pray for issuance of directions for the same to be disposed of expeditiously. Notice is invited to the provisions under Section 21B of the Hindu Marriage Act, 1955.

5. In the light of the above, the present petition is allowed. Accordingly,

- a) The petition filed by respondent-husband under Section 13(1)(ia) and (ib) of the Hindu Marriage Act, 1955, titled as *Dr. Vikram Singh Bhangu vs. Dr. Navjot Kaur Cheema* (CNR No.PBLD01-028393-2019), pending in the Court of Shri Mohit Bansal, Additional Principal Judge, Family Court, Ludhiana, is transferred to a Court of competent jurisdiction at Kapurthala.
- b) The District Judge, Ludhiana is directed to transfer complete record pertaining to the aforesaid case to District Judge, Kapurthala.
- c) The parties through counsel are directed to appear before the District Judge, Kapurthala on 15.03.2024 at 10.00 am.
- d) The District Judge, Kapurthala will assign the said petition to the Court of competent jurisdiction.

6. The concerned Court at Kapurthala will make all endeavour to refer the case before the Mediation and Conciliation Centre for exploring the possibility of some amicable settlement between the parties.

7. It is expected that the concerned Court would take into consideration the factum of pendency of the proceedings for about 5 years and the statutory provisions. The Court concerned, will accommodate them with at least one date in one calendar month and make an endeavour to dispose of the matter expeditiously, in accordance with law.

8. Registry of this Court is directed to transmit copy of this order forthwith to learned District Judges, Ludhiana and Kapurthala, through email, for immediate compliance of this order.
9. Petition is disposed of in the above terms.

January 15, 2024
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(VIKAS SURI)
JUDGE

Whether speaking/reasoned

Whether reportable

Yes/No

Yes/No