

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

218 TA-596-2022 (O&M)
Date of decision: 06.03.2024

Venus ...Petitioner

Versus

Nitin Lamba ...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: Mr. Rishab Dhiman, Advocate for
Mr. Lupil Gupta, Advocate for the petitioner.

Mr. Sushil Saini, Advocate
for the respondent.

VIKAS SURI, J.

1. Prayer in the present petition is for transfer of the petition filed by the respondent-husband under Section 13 of the Hindu Marriage Act, 1955 (for short 'the Act'), pending in the Court of Principal Judge, Family Court, Camp Court at Khanna, District Ludhiana to a Court of competent jurisdiction at Chandigarh.
2. Upon notice, the respondent has put in appearance through counsel and has also filed reply to the transfer application, opposing the same.
3. During the pendency of the present petition, the parties had in another dispute appeared before the Mediator, to make an attempt to amicably resolve all the disputes between them. At that stage, mediation proceedings did not fructify in an amicable settlement and that fact has been noticed in the order dated 07.07.2023, passed in the present case.

4. On resumed hearing today, learned counsel for the respondent, on instructions, states that now the respondent-husband does not wish to contest the present petition and rather is acquiescing to the same being allowed; and as such, the petition filed under Section 13 of the Act be transferred from Family Court, Camp Court at Khanna, District Ludhiana to a Court of competent jurisdiction at Chandigarh.

5. In view of the above, this Court deems it appropriate to allow the present petition, with the following directions:-

- a) The petition filed by respondent husband under Section 13 of Act, titled as *Nitin Lamba vs. Venus*, pending in the Court of Principal Judge, Family Court, Camp Court at Khanna, District Ludhiana, is transferred to a Court of competent jurisdiction at Chandigarh.
- b) The District Judge, Ludhiana is directed to transfer complete record pertaining to the aforesaid case to District Judge, Chandigarh.
- c) The parties through counsel are directed to appear before the District Judge, Chandigarh on 04.04.2024.
- d) The District Judge, Chandigarh will assign the said petition to the Court of competent jurisdiction.

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

7. Disposed of in the aforesaid terms.

8. All pending applications, if any, stand disposed of.

March 06, 2023
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(VIKAS SURI)
JUDGE

Whether speaking/reasoned : Yes / No
Whether Reportable : Yes / No