

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

126

2025:PHHC:006824



**TA-845-2023 (O&M)
Date of decision: 17.01.2025**

KAVITA RANI

..Petitioner

Versus

SANDEEP BABIYAN

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sahaj Punj, Advocate
for Mr. Sarvesh Rattan, Advocate
for the petitioner.

Mr. Pawan Kumar, Advocate
for Mr. Saurabh Arora, Advocate
for respondent.

ANIL KSHETARPAL, J(Oral)

CM-158-CII-2025

1. Allowed as prayed for.
2. Written statement on behalf of respondent is taken on record.
3. CM stands disposed of.

Main case

4. This is an application filed by the wife of the respondent with a prayer to transfer the proceedings of a petition under Section 13 of the Hindu Marriage Act, 1955, titled as “Sandeep Babiyan Vs. Kavita”, presently pending in the Court of Principal Judge, Family Court, Kurukshetra, to the Court of competent jurisdiction at District Karnal.

5. It has been brought to the notice of the Court that the respondent is defending the following litigations at Karnal:-

- i) Proceedings in a petition filed under Section 125 Cr.P.C.;



ii) Proceedings in a complaint filed under Section 12 of the Protection of Women from Domestic Violence Act, 2005, and,

6. The petitioner claims that presently, she is residing with her parents at Karnal and the distance between Kurukshetra and Karnal is stated to be 40 kms.

7. Keeping in view the aforesaid facts, the petition is allowed.

8. The petition under Section 13 of the Hindu Marriage Act, 1955, titled as “Sandeep Babiyan Vs. Kavita”, presently pending in the Court of Principal Judge, Family Court, Kurukshetra, is ordered to be transferred to the Court of competent jurisdiction at District Karnal.

9. The transferor Court is requested to remit the case file to the transferee Court forthwith.

10. The parties through their counsel are directed to appear before the transferee Court on 17.02.2025.

11. All the pending miscellaneous applications, if any, are also disposed of.

January 17th, 2025

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**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*