

TA-269-2012 (O&M)

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

TA-269-2012 (O&M)

Date of decision: 14.9.2015

Paramjit Kaur

...Petitioner

Versus

Avtar Singh

...Respondent

CORAM: HON'BLE MRS.JUSTICE SNEH PRASHAR

Present: Mr.Rakesh Gupta, Advocate for the applicant

Mr.Rishi Nijhawan, Advocate for the respondent

SNEH PRASHAR, J.

This is a petition by wife-applicant under Section 24 of the Code of Civil Procedure (for short, "C.P.C.") seeking transfer of the petition filed under Section 13 of the Hindu Marriage Act, 1955 (for short, "the Act") by respondent-husband from the Court of learned District Judge, Patiala to the Court of competent jurisdiction at Kaithal.

Learned counsel for the respondent submits that as per instructions from the respondent, he has no objection if the petition filed by the respondent is transferred from the court of learned District Judge, Patiala to learned District Judge, Kaithal, as per prayer made by the applicant.

Otherwise also, there is a small child born out of the wedlock of the parties, who is stated to be in custody of the applicant. It is indeed inconvenient for the applicant to travel from Kaithal to Patiala alongwith the minor child to defend the petition filed by the respondent-husband.

Accordingly, the present petition is allowed and the petition filed by the respondent-husband under Section 13 of the Act pending in the court of learned District Judge, Patiala is withdrawn from the said court and is transferred to the court of competent jurisdiction at Kaithal. The file shall be sent by the trial court to the court of District and Sessions Judge, Kaithal within two weeks from the date of receipt of copy of this order, who will either keep the petition himself/ herself or will entrust the same to any other competent court of jurisdiction at Kaithal.

The parties are directed to appear before the District Judge, Kaithal on 13.10.2015.

14.9.2015
gsv

(SNEH PRASHAR)
JUDGE