

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Transfer Application No.646 of 2012 (O&M)
Date of decision: 31st July, 2015

Sarabjit Kaur

...Applicant

Versus

Manpreet Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Vivek K.Thakur, Advocate,
for the applicant.

None for the respondent.

INDERJIT SINGH, J.

Applicant Sarabjit Kaur has preferred the instant transfer application under Section 24 of the Code of Civil Procedure against respondent Manpreet Singh for transferring the case under Section 9 of the Hindu Marriage Act, 1955, titled as Manpreet Singh versus Sarabjit Kaur, pending in the Court of Additional Civil Judge (Senior Division), Khanna, to any competent Court of jurisdiction at District Kapurthala.

Notice of this application was issued to respondent but respondent, after service, did not ever appear.

I have heard learned counsel for the applicant and have gone through the record.

From the record, I find that one male minor child is residing with the applicant and it is inconvenient for the applicant to pursue the proceedings pending in the Court at Khanna which is at a long distance from Kapurthala. Further, it is stated in the application that father of the applicant has already died and her brother is bed

ridden due to injury sustained in an accident. It is also in the petition that the applicant is a lady and she is not in a position to attend the proceedings of the Court at Khanna. So, keeping in view all these averments, I find that it is inconvenient for the applicant to visit the Court at Khanna from Kapurthala alongwith her minor child and she has to spend amount on travelling etc. and there is no male member in the family to accompany her to the Court at Khanna.

Therefore, finding merit in this application, the same is accepted. The petition under Section 9 of the Hindu Marriage Act, pending before Additional Civil Judge (Senior Division), Khanna, is transferred to the competent Court at Kapurthala. The applicant is directed to appear before the District Judge, Kapurthala on 20.08.2015. The District Judge, Kapurthala may keep this case with him/her or entrust it to any competent Court for disposal as per law after giving notice to the respondent. The learned Additional Civil Judge (Senior Division), Khanna is directed to send the case file to District Judge , Kapurthala well before the date fixed.

31st July, 2015
mamta

(INDERJIT SINGH)
JUDGE