

*IN THE HIGH COURT FOR THE STATES OF PUNJAB
AND HARYANA AT CHANDIGARH.*

TA 520 of 2013

Date of decision:-1.4.2015

Rajbir Kaur @ Manpreet Kaur

Petitioner

vs.

Parminder Singh

Respondent

Present: Mr. Nakul Sharma, Advocate.

M.M.S.BEDI,J.

Respondent has been served through publication. Copies of the newspapers have been placed on record. The respondent despite service has opted not to appear before this court. He is proceeded against ex-parte.

This is a petition for transfer of a divorce petition filed u/s 13 of the Hindu Marriage Act for dissolution of marriage **titled Parminder Singh vs. Rajbir Kaur @ Manpreet Kaur** from the court of Additional District Judge, Ludhiana to the court of the competent jurisdiction at Ferozepur on the ground that the petitioner-wife is residing at Ferozepur, which is at 130 kms from Ludhiana. The petitioner is looking after a minor male child. Proceedings u/s 125 Cr.P.C. and criminal proceedings u/s 406/498-A IPC have been filed against the respondent-husband at Ferozepur. It is not out of place to observe here that vide order dated 3.9.2013 the proceedings before the lower court were ordered to be stayed. The respondent-husband has, despite the knowledge of the present petition, has opted not to appear and contest the petition, implying thereby that he has got no objection to the transfer of the divorce petition to Ferozepur.

Taking into consideration the above said circumstances, this petition is allowed. The above mentioned divorce petition, pending in the court of Additional District Judge, Ludhiana is ordered to be transferred to the court of District Judge, Ferozepur. The parties are directed to appear before the District Judge, Ferozepur on 23.5.2015. File complete in all respect will be sent to the District Judge, Ferozepur before the next date of hearing. A copy of the order be sent to Additional District Judge, Ludhiana. The order passed will be communicated by the concerned court at Ludhiana to the counsel for the respondent on the next date of hearing, fixed before it. It will be open to the District Judge, Ferozepur to entrust the case to any court of competent jurisdiction.

April 1 , 2015
TSM

(M.M.S.BEDI)
JUDGE