

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

**TA No.715 of 2013 (O&M)
Date of Decision: March 12th, 2015**

Mohinder Kaur

.....Petitioner

versus

Harbans Singh

.....Respondent

CORAM: Hon'ble Mr. Justice Dr.Bharat Bhushan Parsoon.

Argued by: Mr.A.S.Dhaliwal, Advocate for the petitioner.

None for the respondent.

* * *

Dr.Bharat Bhushan Parsoon, J.

CM No.4569-CII of 2015

On the date of passing of the order dismissing the petition for non-prosecution i.e. on 04.02.2015, none was present. Even on the side of the respondent, no one had put in appearance and as such, no notice is required to be issued to them.

In view of the circumstances explained in the application which is supported on affidavit, the same is allowed and the petition is restored to its original number.

TA No.715 of 2013

Counsel for the wife, petitioner herein, seeks transfer of petition filed under Section 13 of Hindu Marriage Act, 1955 by the husband, respondent herein, from District Moga to Patiala as the petitioner is presently residing in the house of her parents at Patiala.

2. It is also urged that the petitioner-wife is residing at Patiala is undergoing treatment for malady of cancer and undergoing chemotherapy at Rajindra Medical Collect and Hospital at Patiala in the surgery department. She has also filed an application under Section 125 Cr.P.C., under Section 9

of Hindu Marriage Act and FIR No.209 dated 05.06.2002 under Section 406/498-A of IPC Police Station Kotwali Patiala, against the respondent and others which are pending adjudication in the Court at Patiala.

3. In view of the submissions made by counsel for the petitioner as also the circumstances explained in the petition, the request is allowed.

4. Sequelly, the petition filed under Section 13 of the Hindu Marriage Act,1955 pending before learned learned Additional District Judge, Moga, is transferred to District Judge, Patiala. Both the concerned District Judges to comply with.

5. Disposed of accordingly.

6. Copy Dasti on usual charges.

March 12th, 2015
anil

(Dr.Bharat Bhushan Parsoon)
JUDGE