

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

TA No.211 of 2015 (O&M)
Date of Decision: July 16, 2015

Amandeep Kaur

...Applicant

Versus

Gurpreet Singh Kathuria

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Mohit Sharma, Advocate
for the applicant.

Mr.Amit Dhawan, Advocate
for the respondent.

INDERJIT SINGH, J.

Applicant Amandeep Kaur has filed this application under Section 24 CPC against respondent Gurpreet Singh Kathuria for transfer of petition filed by the respondent under Section 9 of the Hindu Marriage Act, from the Court of Addl. Civil Judge (Senior Division) Jalandhar to the Court of competent jurisdiction at Amritsar.

Notice of motion was issued and learned counsel for the respondent appeared and contested the application.

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

From the record, I find that the applicant is wife of the respondent and matrimonial dispute is going on between the parties.

The respondent has filed the petition under Section 9 of the Hindu Marriage Act at Jalandhar whereas the applicant is residing at

Amritsar. It is stated in the application that one minor child is also with the applicant and it is inconvenient for her to attend the proceedings at Jalandhar by coming from Amritsar with the minor child. It is also the case of the applicant that another proceedings under Section 125 Cr.P.C. are also pending at Amritsar.

Keeping in view the facts and circumstances of the present case and in view of the fact that applicant is suffering inconvenience by coming from Amritsar and further the fact that proceedings under Section 125 Cr.P.C. are already pending at Amritsar and respondent is to attend those proceedings, I find that it will be convenient for both the parties if the case under Section 9 of the Hindu Marriage Act is transferred to Amritsar. Rather, the parties can take one date in both the cases by making request to the Court.

Therefore, I find merit in the present application and the same is allowed. The case filed by the respondent-husband under Section 9 of the Hindu Marriage Act is transferred to the Court at Amritsar from the Court of Addl. Civil Judge (Senior Division) Jalandhar. The parties are directed to appear before learned District Judge, Amritsar on 05.08.2015, who may keep the case with him/her or entrust the same to some other competent Court for disposal in accordance with law. Learned Addl. Civil Judge (Senior Division) Jalandhar, is directed to send the file to learned District Judge, Amritsar, well before the date fixed.

July 16, 2015
Vgulati

(INDERJIT SINGH)
JUDGE