

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

TA No.29 of 2015

Date of decision: January 15, 2015.

Manjinder Kaur

... **Petitioner**

v.

Amrik Singh

... **Respondent**

CORAM: **HON'BLE MR. JUSTICE DR. BHARAT BHUSHAN PARSOON**

Present: Shri Sherry K. Singla, Advocate, for the petitioner.

Dr. Bharat Bhushan Parsoon, J. (Oral):

Counsel for the petitioner seeks transfer of the petition under Section 6 of the Hindu Minority and Guardianship Act, 1956, for custody of two minor children filed by the respondent-husband from Mansa to Bathinda. It is averred that the respondent-husband is already facing two cases, i.e., one under Section 125 cr.P.C. and another under the Protection of Women from Domestic Violence Act, 2005 at Bathinda but this petition has been preferred by him at Mansa merely to harass, humiliate and dwarf her in her stature. It is further averred that the petitioner will have to travel all the way from village Ghasokhana to Mansa, which is at a distance of 40 kilometers.

No notice is being issued to the respondent in order to obviate delay, more so when no prejudice is likely to be caused to the respondent in view of the nature of order which this Court proposes to pass.

In view of the circumstances explained in the petition and particularly when the husband is already facing proceedings under Section 125 Cr.P.C. as also proceedings under the Protection of Women from Domestic Violence Act, 2005 at Bathinda, the petition under Section 6 of the Hindu Minority and Guardianship Act, 1956 is ordered to be transferred from Mansa to the court of competent jurisdiction at Bathinda. Compliance be made by all concerned.

The petition stands disposed of.

[Dr. Bharat Bhushan Parsoon]
Judge

January 15, 2015.
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