

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

TA No.130 of 2014.
Decided on:-18.2.2015.

Simarjeet Kaur.

.....Petitioner.

Versus

Jagdev Singh.

.....Respondent.

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

Present:- Mr. A.S. Gill, Advocate
for the petitioner.

None for the respondent.

Dr. Bharat Bhushan Parsoon, J (Oral)

Counsel for the wife, petitioner herein, seeks transfer of petition under Section 9 of the Hindu Marriage Act, 1955 (for short, the Act) filed by the husband, respondent herein, from Jagraon, District Ludhiana to Moga as the petitioner is residing with her parents and a minor daughter about six years old at village Bhirde Khurd, District Moga, which is more than 50 Kms. away from her place of residence.

2. It is also urged that the petitioner-wife has also filed a petition under Section 125 Cr.P.C. against the respondent-husband, which is pending adjudication at Moga.

3. Perusal of the paper book reveals that there was no representation on behalf of the respondent despite service by way of affixation as he refused to accept the summons on the previous date of hearing i.e. 13.10.2014. Similar is the position even today. He is, thus,

proceeded against ex-parte.

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

5. Sequelly, the petition under Section 9 of the Act pending before Additional Civil Judge (Senior Division), Jagraon, District Ludhiana is transferred to District Judge, Moga, who may further transfer the same to the competent court of jurisdiction under him. Both the concerned District Judges to comply.

6. Disposed of accordingly.

7. Copy Dasti on usual charges.

(Dr. Bharat Bhushan Parsoon)
Judge

February 18, 2015

'Yag Dutt'