

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

TA-257-2016

Date of decision: 27.5.2016

Neelam

...Applicant

Versus

State of UT through its Secretary

...Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

1. To be referred to the Reporters or not ?
2. Whether the judgment should be reported in the Digest ?

Present: Mr. Raman B. Garg, Advocate for the applicant.
Mr. J. S. Dadwal, Advocate for respondent No. 2.

RAMESHWAR SINGH MALIK, J. (Oral)

It is an admitted fact situation between the parties that the learned trial Court at Nawanshahar had already passed an ex-parte order against the applicant-wife. Further, it is also not disputed before this Court that the applicant had already moved an appropriate application, seeking setting aside of above-said ex-parte order before the learned court at Nawanshahar itself.

On having been pointed out by the learned counsel for respondent No. 2, that the learned transferee court would have no jurisdiction to set aside the ex-parte order passed by the learned court at Nawanshahar, learned counsel for the applicant seeks permission of the Court to withdraw the present transfer application with liberty to the applicant to pursue her application for seeking setting aside ex-parte order at the first instance and thereafter may approach this Court by moving an identical transfer application, as and when necessity arises.

Permission is granted.

Dismissed as withdrawn, with liberty as prayed for.

27.5.2016
mks

(RAMESHWAR SINGH MALIK)
JUDGE