

In the High Court of Punjab and Haryana at Chandigarh

T.A. No. 348 of 2015

Date of Decision: February 10, 2015

Manjit Kaur

... Applicant

Versus

Harbhupinder Singh

... Respondent

**CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH
DHALIWAL**

Present: Mr. Tribhawan Singla, Advocate,
for the applicant.

Mr. Munish Gupta, Advocate,
for the respondent.

Paramjeet Singh Dhaliwal, J. (Oral)

Instant application has been filed under Section 24 of the Code of Civil Procedure for transfer of petition under Section 7 of the Guardian and Wards Act read with Section 6-A of the Hindu Minorities and Guardian Act, 1956, titled as “Harbhupinder Singh vs. Manjit Kaur, pending in the Court of learned Additional Civil Judge (Senior Division), Jagraon to the court of competent jurisdiction at Barnala.

The matter was sent to the Mediation & Conciliation Central of this Court, but the applicant did not turn up. It appears that the applicant is only harassing the respondent. Earlier, the application filed a petition under Section 13 of the Hindu Marriage Act before the learned Additional District Judge, Ludhiana, which was dismissed in default for want of prosecution on behalf of the applicant vide order dated 03.01.2012 (Annexure R/2).

Thereafter, the applicant again filed a petition under Section 13 of the Hindu Marriage Act before the learned Additional District Judge, Barnala, which was also dismissed in default for non-prosecution vide order dated 04.08.2012 (Annexure R/3). It appears that intention of the applicant is not bona fide. In this way, the applicant is only harassing the respondent by filing petitions at different places by showing change in her address.

In view of above, no justified ground for transferring the case is made out.

Dismissed.

I am constrained to observe that owing to the conduct of the applicant, instant petition should have been dismissed with heavy costs, but since the parties have already been granted divorce, I am restraining from imposing the same.

February 10, 2016
vkd

[Paramjeet Singh Dhaliwal]
Judge