

**In the High Court of Punjab and Haryana at Chandigarh**

**T.A. No. 611 of 2015  
Date of Decision: March 03, 2016**

*Narinderjit Kaur @ Narinder Kaur @ Neetu*

*... Applicant*

*Versus*

*Harpreet Singh*

*... Respondent*

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

Present: Mr. Jaswinder Singh, Advocate,  
for the applicant.

None for the respondent.

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**Paramjeet Singh Dhaliwal, J. (Oral)**

Instant application has been filed under Section 24 of the Code of Civil Procedure, 1908 for transfer of petition bearing DMC No. 1366/2015, under Section 9 of the Hindu Marriage Act, 1955 (hereinafter referred to as the “Act”), filed by the respondent titled as “Harpreet Singh vs. Narinder Kaur @ Neetu”, pending in the Court of learned Addl. Civil Judge (Senior Division), Ferozepur to the court of competent jurisdiction at Ludhiana.

Learned counsel for the applicant contends that respondent-husband filed a petition under Section 9 of the Act for restitution of conjugal rights, which is pending before the learned Addl. Civil Judge (Senior Division), Ferozepur. Learned counsel further contends that the applicant is residing at her parental house situated in District Ludhiana and

it is not convenient for her to travel from Ludhiana to Ferozepur to defend proceedings instituted by the husband. Petition under the provisions of Protection of Women from Domestic Violence Act, 2005, filed by the applicant, is pending against the respondent at Ludhiana. Learned counsel for the applicant relied upon a judgment of Hon'ble Supreme Court in **Deepti Bhandari vs. Nitin Bhandari and another, 2012 (1) R.C.R. (Civil) 506** and contended that it would be easier for the respondent-husband to attend the proceedings in Ludhiana, than for the applicant to attend the same in Ferozepur. Therefore, petition under Section 9 of the Act may be transferred to Ludhiana.

Despite service, none has appeared on behalf of the respondent to oppose this petition.

In view of the submissions made by learned counsel for the applicant, the circumstances mentioned in the application, pendency of other proceedings between the parties at Ludhiana and keeping in view the decision of Hon'ble Supreme Court in **Deepti Bhandari (supra)**, this Court is of the view that it would be in the interest of the respondent as well that all proceedings are tried at one place as he will not be required to appear at different places on different dates. Accordingly, petition under Section 9 of the Act filed by the respondent titled “Harpreet Singh vs. Narinder Kaur @ Neetu”, pending in the Court of learned Addl. Civil Judge (Senior Division), Ferozepur is withdrawn and ordered to be transferred to learned District Judge, Ludhiana, who may assign the same to the Court of competent jurisdiction there. Learned Addl. Civil Judge (Senior Division), Ferozepur shall ensure that entire record of the case is sent to learned District Judge, Ludhiana.

Parties are directed to appear before the Court of learned District Judge, Ludhiana on 22.03.2016. Since none appeared on behalf of the respondent, learned Addl. Civil Judge (Senior Division), Ferozepur, is directed to inform the counsel for the respondent– Harpreet Singh about the date of appearance before the learned District Judge, Ludhiana.

Disposed of.

**March 03, 2016**  
vkd

**[Paramjeet Singh Dhaliwal]**  
**Judge**