

**Sr. No. 205
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**TA No. 509 of 2014
Date of decision 13.01.2016**

Amninder Kaur

...Applicant

Vs.

Manmohan Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH DHALIWAL

1. Whether Reporters of the local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Raman Mohinder Sharma, Advocate,
for the applicant.

Mr. Kulwinder Singh, Advocate for
Mr. Rajbir Singh, Advocate,
for the respondent.

Paramjeet Singh Dhaliwal, J. (Oral)

Instant application under Section 24 of the Code of Civil Procedure has been filed seeking transfer of petition titled 'Manmohan Singh Vs. Amninder Kaur' under Section 9 of the Hindu Marriage Act, 1955 (for short 'the Act') for restitution of conjugal rites filed by respondent-husband, from Moga to Dhuri District Sangrur.

Learned counsel for the applicant contended that respondent has filed a petition under Section 9 of the Act at Moga, which is pending in the Court of learned Civil Judge, Senior Division, Moga. Now applicant is residing with her parents at Isapur Landa, Tehsil Dhuri, District Sangrur which is approximately 110 kms away

from Moga and it is very difficult for her to attend the Court proceedings on every date at Moga. At this stage, learned counsel for the applicant contends that the petition filed under Section 9 of the Act may be transferred to Dhuri District Sangrur.

On the other hand, learned counsel for the respondent contended that transfer of petition to Dhuri would cause inconvenience to the respondent, therefore, it is not a fit case for transfer of the petition under Section 9 of the Act from Moga to Dhuri. He further states that he has no objection if the case filed by respondent-husband under Section 9 of the Act is transferred to Barnala which is between Moga and Dhuri.

Learned counsel for the applicant has fairly agreed to the statement of the learned counsel for the respondent.

I have considered the contentions raised by learned counsel for the parties.

In view of the submissions made by learned counsel for the parties, in the facts and circumstances of the case and with the consent of the parties the petition under Section 9 of the Act pending in the Court of learned Civil Judge, Senior Division, Moga is ordered to be transferred to learned District Judge, Barnala, who may assign the same to the Court of competent jurisdiction there. Parties through their counsel are directed to appear before the learned District Judge, Barnala on 15.02.2016. Learned Civil Judge, Senior Division,

Moga, shall ensure that entire record of the case is sent to learned District Judge, Barnala well before the date fixed.

Registry is directed to forthwith send copy of this order to the learned District Judge, Barnala, for compliance.

Disposed of.

13.01.2016

vandana

**(PARAMJEET SINGH DHALIWAL)
JUDGE**