

In the High Court of Punjab and Haryana at Chandigarh

Date of Decision: February 26, 2016

1) T.A. No. 53 of 2014

Nasreen Kaur

... Applicant

Versus

Navneet Kumar Arora

... Respondent

2) T.A. No.507 of 2014

Nasreen Kaur

... Applicant

Versus

Navneet Kumar Arora

... Respondent

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

Present: Mr. Surinder Sharma, Advocate,
for the applicant.

Mr. Sarabjeet Singh, Advocate,
for the respondent.

Paramjeet Singh Dhaliwal, J. (Oral)

By this common order, both the transfer applications i.e. TA No. 53 of 2014 and 507 of 2014 are being decided together as in both the transfer applications, parties are same.

TA No. 53 of 2014 has been filed under Section 24 of the Code of Civil Procedure for transfer of petition, under Section 9 of the Hindu Marriage Act (hereinafter referred to as the “Act”), filed by the respondent titled as “Navneet Kumar Arora vs. Nasreen Kaur”, pending in the Court of learned Civil Judge (Senior Division), Mohali to the court of competent jurisdiction at Jalandhar.

TA No. 507 of 2014 has been filed under Section 24 of the Code of Civil Procedure for transfer of civil suit for declaration, filed by the respondent titled as “Navneet Kumar Arora vs. Nasreen Kaur”, pending in the Court of learned Civil Judge (Senior Division), Mohali to the court of competent jurisdiction at Jalandhar.

Learned counsel for the applicant contends that the applicant is residing at Jalandhar and she has already filed a petition under Section 12 of the Act for annulment of marriage, which is pending at Jalandhar. Learned counsel further contends that respondent-husband is staying abroad. After filing petition under Section 9 and civil suit, he has not turned up.

Learned counsel for the respondent states that he has no instructions from the respondent.

In view of the fact that the applicant is residing at Jalandhar and respondent-husband is staying abroad and pendency of other proceedings between the parties at Jalandhar, this Court is of the view that petition under Section 9 of the Act and civil suit for declaration, filed by the respondent titled “Navneet Kumar Arora vs. Nasreen Kaur”, pending in the Court of learned Civil Judge (Senior Division), Mohali are withdrawn and ordered to be transferred to learned District Judge, Jalandhar, who may assign the same to one Court of competent jurisdiction there. Learned Civil Judge (Senior Division), Mohali shall ensure that entire record of both the aforesaid cases are sent to learned District Judge, Jalandhar.

Parties are directed to appear before the Court of learned District Judge, Jalandhar on 21.03.2016. Parties will be at liberty to make a request to the concerned courts for fixing all the afore-mentioned cases on one date. If such a request is made, the Courts shall make an endeavour to

fix same date in all the aforementioned cases.

Both the aforementioned transfer applications are disposed of.

February 26, 2016
vkd

[Paramjeet Singh Dhaliwal]
Judge