

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

TA No.979 of 2016

Date of decision: 23.02.2017

Parminder Singh

... Applicant

Vs.

Jasvir Kaur

... Respondent

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr. Ashish Kumar Gupta, Advocate
for the applicant.

Mr. S.S. Kamboj, Advocate
for the respondent.

RAMESHWAR SINGH MALIK, J. (ORAL)

Applicant-husband, by way of instant transfer application under Section 24 read with Section 151 of the Code of Civil Procedure (for short 'CPC'), seeks transfer of a petition under Section 9 of the Hindu Marriage Act, 1955 ('the Act' for short) titled as Parminder Singh Vs. Jasvir Kaur from Karnal to Chandigarh.

Notice of motion was issued and the learned Court below was directed to adjourn the case beyond the date fixed before this Court.

Heard learned counsel for the parties.

It has gone undisputed before this Court that the petition under Section 9 of the Act was initially filed by the applicant-husband at Bathinda. Thereafter, at the instance of the respondent-wife, said petition was ordered to be transferred by this Court from Bathinda to Karnal, because she was posted at Karnal at that time. It is also not in dispute that now the respondent-wife

has been transferred to Chandigarh and applicant-husband is residing at Bathinda. This is the reason that learned counsel for the respondent-wife has fairly stated that she has no objection in case the petition under Section 9 of the Act is ordered to be transferred from Karnal to Chandigarh.

In view of the above conceded position, instant transfer application deserves to be accepted and the same is hereby allowed.

Accordingly, the learned District Judge, Karnal is directed to send complete record of the petition under Section 9 of the Act titled as Parminder Singh Vs. Jasvir Kaur to the learned District Judge, Chandigarh, at an early date but in any case within a period of one month from the date of receipt of certified copy of this order.

The learned District Judge, Chandigarh is also directed either to decide the case himself or assign it to the learned Court of competent jurisdiction, for an early decision, in accordance with law.

With the abovesaid observations made and directions issued, present transfer application stands disposed of, however, with no order as to costs.

[RAMESHWAR SINGH MALIK]
JUDGE

23.02.2017
vishnu

Whether speaking/reasoned Yes/No
Whether reportable Yes/No