

**IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

**TA No. 430 of 2017(O&M)**

**Date of decision: 31.7.2017**

Rajwant Kaur

....Applicant

VERSUS

Amrit Singh

.....Respondent

**CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL**

Present: Mr. Achin Gupta, Advocate for the applicant.

Mr. A.S. Sekhon, Advocate for respondent.

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**REKHA MITTAL, J.(Oral)**

Rajwant Kaur, the applicant-wife, prays for transfer of petition titled Amrit Singh Vs. Rajwant Kaur filed under Section 9 of the Hindu Marriage Act, 1955 (in short 'the Act') by the respondent-husband in the Court of Additional Civil Judge (Senior Division), Malout.

Counsel for the applicant has submitted that two cases filed by the applicant namely application under Section 125 of the Code of Criminal Procedure, 1973 and a complaint under Protection of Women from Domestic Violence Act, 2005 are pending in the Court at Faridkot. Another petition filed by the respondent under Guardian and Wards Act, 1890 for custody of the children born out of the wedlock is also pending in the Court of District Judge, Family Court, Faridkot. It is prayed that the petition under Section 9 of the Act filed by respondent-husband may be transferred to the Court of District Judge, Family Court, Faridkot so that there is no inconvenience for the applicant to attend to the proceedings

when otherwise the respondent-husband has to come to Faridkot for attending to the litigation filed at the instance of the applicant and by himself.

Counsel for the respondent has contested claim of the applicant.

Concededly, three litigations between the parties are already pending in the Court at Faridkot. The petition filed by the respondent-husband under Section 25 of the Guardian and Wards Act, 1890 is pending in the Court of District Judge, Family Court, Faridkot. Under the circumstances, the respondent-husband would not suffer any inconvenience if the petition filed by him under Section 9 of the Act is also transferred to the Court of District Judge, Family Court, Faridkot.

In view of the above, petition under Section 9 of the Hindu Marriage Act, 1955, Amrit Singh Vs. Rajwant Kaur is withdrawn from the Court of Additional Civil Judge (Senior Division), Malout and is transferred to the Court of District Judge, Family Court, Faridkot. The District Judge, Family Court, Faridkot is directed to take up both the petitions under Section 25 of the Guardian and Wards Act, 1890 and Section 9 of the Hindu Marriage Act, 1955 on the same date.

Disposed of accordingly.

**JULY 31, 2017**

‘D. Gulati’

**(REKHA MITTAL)**  
**JUDGE**

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|---------------------------|---|--------|
| Whether speaking/reasoned | : | yes/no |
| Whether reportable        | : | yes/no |