

In the High Court of Punjab and Haryana at Chandigarh

Paramjit Kaur Saini
2017.08.16 16:04
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T.A.No. 464 of 2017

Date of Decision: 9.8.2017

Nisha

---Applicant

versus

Golu Kumar

---Respondent

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: Mr. J.K.Puri, Advocate
for the applicant

None for the respondent

Rekha Mittal, J.

Prayer in this application is for transfer of petition under Section 13 of the Hindu Marriage Act, 1955 (in short "the Act") filed by the respondent-husband from the Court of Additional District Judge, Ludhiana to a Court of competent jurisdiction at Chandigarh.

Counsel for the applicant has submitted that earlier the respondent-husband filed a petition under Section 9 of the Act in a Court at Ludhiana and the same was transferred to the Court at Chandigarh vide order dated 1.5.2017 passed by this Court in T.A.No. 618 of 2016. It is argued with vehemence that there is no change in the circumstances of the applicant since the earlier petition was allowed by this Court, therefore, the instant petition may also be transferred to the Court of District Judge, Chandigarh so that the applicant may be able to defend the proceedings in an effective manner.

The respondent did not cause appearance in the Court to

controvert the allegations raised in the petition. He also did not cause appearance before this Court in T.A.No. 618 of 2016. Under the circumstances, averments raised in the petition justifying transfer of the proceedings from Ludhiana to Chandigarh remains unchallenged.

As this court has already examined correctness or otherwise of the averments raised by the applicant while deciding T.A.No. 618 of 2016 and there is nothing on record suggestive that detailed order dated 1.5.2017 passed by this Court in the aforesaid application was challenged before Hon'ble the Supreme Court of India, it is expedient in the interest of justice that the instant petition is withdrawn from the Court of Additional District Judge, Ludhiana and is transferred to the Court of District Judge, Chandigarh.

The District Judge, Chandigarh may keep the petition on his Board or assign it to a Court of competent jurisdiction at Chandigarh.

Application stands disposed of.

(Rekha Mittal)
Judge

9.8.2017

PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No