

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

204

TA-470-2017 (O&M)

Date of decision: 28.11.2017

MANJIT KAUR @ SHUBNA

...Applicant

Versus

HAPPY

...Respondent

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

Present : Mr. Amardeep S. Gill, Advocate for the applicant.

Mr. Inderjit Sharma, Advocate for the respondent.

\*\*\*\*

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

The applicant prays for transfer of petition under Section 9 of the Hindu Marriage Act, 1955 (for short 'the Act') filed by the respondent from the Court at Bathinda to a Court of competent jurisdiction at Jalandhar.

Counsel for the applicant would urge that besides physical distance of approximately 150 kms. between the two places, three cases arising out of marital disharmony, filed by the applicant are pending in the Court at Jalandhar. The petition under Section 9 of the Act filed by the respondent can be decided by any of the Court seized of the case(s) filed by the applicant. The applicant has the responsibility to look after the minor child, born on 11.10.2014.

Counsel representing the respondent has not disputed factual assertions but would state that personal appearance of the applicant is not required on each and every date of hearing in the petition.

It is undisputed position that three cases filed at the behest of the applicant are pending in the Court at Jalandhar and the respondent husband is contesting those proceedings. In case the petition under Section 9 of the Act filed by the respondent is transferred to a Court at Jalandhar, it may not cause any inconvenience for the respondent. That being so, the petition HMA No.327/2016 titled 'Happy Vs. Manjit Kaur @ Shubna' is withdrawn from the Court of Additional Civil Judge (Sr. Div.), Bathinda and transferred to the Court of District Judge, Jalandhar. The District Judge, Jalandhar would assign the case to the competent Court which is seized of either of the cases filed at the behest of the applicant. The Court concerned would fix the cases on the same day so that unnecessary inconvenience to the respondent husband may be avoided.

Disposed of accordingly.

28.11.2017

ashok

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

Whether speaking/reasoned:  
Whether reportable:

Yes / No  
Yes / No