

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

202

TA-483-2017 (O&M)
Date of decision: 22.11.2017

GURJIT KAUR

...Applicant

Versus

KULWINDER SINGH

...Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. L.S. Sidhu, Advocate for the applicant.

None for the respondent.

REKHA MITTAL, J. (Oral)

The applicant prays for transfer of case No.DMC/22/2017 titled **Kulwinder Singh VS. Gurjit Kaur** filed under Section 9 of the Hindu Marriage Act, 1955 (for short 'the Act') from the Court of Additional Civil Judge (Sr. Divn.), Zira to a Court of competent jurisdiction at Moga.

Counsel for the applicant has submitted that application under Section 125 Cr.P.C. filed at the behest of applicant and the minor children, born out of the wedlock is pending in the Court of District Judge, Family Court, Moga and the petition under Section 9 of the Act filed by the respondent husband can also be decided by the District Judge, Family Court, Moga. It is further submitted that the respondent-husband is contesting the proceedings filed under Section 125 Cr.P.C.

Respondent has failed to cause appearance, therefore, there is no counter to the averments raised in the application.

In view of the above, the aforesaid petition filed by the

respondent husband is withdrawn from the Court of Additional Civil Judge (Sr. Div.), Zira and transferred to the Court of District Judge, Family Court, Moga for disposal, in accordance with law. The District Judge, Family Court, Moga is directed to fix both the cases namely application under Section 125 Cr.P.C. filed by the wife and minor children as well as the instant petition on the same day so that there is no unnecessary inconvenience for the respondent husband.

Disposed of accordingly.

22.11.2017

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:

Yes / No

Whether reportable:

Yes / No