

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

TA No. 60 of 2017(O&M)

Date of decision: 1.8.2017

Karamjit Kaurapplicant

VERSUS

Kulwinder SinghRespondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. S.K. Garg, Advocate for
Mr. A.S. Mann, Advocate for the applicant.

None for respondent.

REKHA MITTAL, J.(Oral)

Prayer in this application is for transfer of petition HMA case No.290 of 10.08.2016 titled Kulwinder Singh Vs. Karamjit Kaur filed under Section 13 of the Hindu Marriage Act, 1955 (in short 'the Act') by respondent/husband pending in the Court of District Judge, Family Court, Faridkot to a Court of competent jurisdiction at Mansa.

Counsel for the applicant has submitted that the applicant-wife is residing in village Kallipur, District Mansa at her parental home. She has no source of income and is living at the mercy of her parents. It is extremely difficult for her to defend the proceedings pending in the Court at Faridkot as there is distance of more than 150 KMs between village Kallipur and the Court at Faridkot.

The respondent/husband has not caused appearance to controvert the allegations raised in the petition and as such the same are to

be taken as correct when otherwise the applicant has filed an affidavit in support of the allegations.

On a query raised by the Court, counsel for the applicant has informed that no other litigation arising out of marital disharmony is pending.

In view of the inconvenience likely to be caused to the applicant-wife to defend the divorce case from a distance of 150 KMs, it is expedient in the interest of justice that HMA case No.290 of 10.08.2016 is withdrawn from the Court of District Judge, Family Court, Faridkot and is transferred to the Court of District Judge, Mansa. The District Judge, Mansa may keep the petition on his board or assign it to a Court of competent jurisdiction at Mansa.

Disposed of accordingly.

AUGUST 1, 2017
'D. Gulati'

(REKHA MITTAL)
JUDGE

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