

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

206

TA-641-2017 (O&M)

Date of decision: 20.12.2017

RIMPI

...Applicant

Versus

MANMINDER KUMAR

...Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Naveen Batra, Advocate for the applicant.

REKHA MITTAL, J. (Oral)

Prayer in this application is for transfer of petition titled 'Manminder Kumar Vs. Rimpi' filed under Section 9 of the Hindu Marriage Act, 1955 (in short 'the Act') from the Court at Phillaur to a Court of competent jurisdiction at Hoshiarpur.

A relevant extract from order of notice of motion dated 03.08.2017, reads as follows:-

“Counsel for the applicant inter alia contends that besides physical distance of approximately 100 Kms between Phillaur and Hoshiarpur, the applicant has to look after two female children aged about 5 and 3 years, respectively, born out of the wedlock. An application under Section 125 Cr.P.C. filed by the applicant prior in time is pending in the Court at Hoshiarpur.”

The respondent has not appeared to counter the submissions made by counsel for the applicant. The petition under Section 9 of the Act filed by the respondent can be entertained and decided by the Court at

Hoshiarpur, seized of the application under Section 125 Cr.P.C.

In view of the above, the aforesaid petition is withdrawn from the Court at Phillaur and transferred to the Court at Hoshiarpur that is seized of the proceedings under Section 125 Cr.P.C. The Court shall ensure that both the cases namely application under Section 125 Cr.P.C. and petition under Section 9 of the Act are fixed on the same date.

Disposed of accordingly.

20.12.2017

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No