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

**TA No.1069 of 2017(O&M)
Date of Decision: October 17, 218**

Sita Rani @ Mona

...Petitioner

Versus

Jasbir Singh

...Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

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Present: - Mr.Amandeep Saini, Advocate
for the petitioner.

Mr.Sanjeev K.Virk, Advocate
for the respondent.

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HARINDER SINGH SIDHU, J.

The petitioner wife has filed this petition under Section 24 of the Code of Civil Procedure for transferring the petition under Section 6 of the Hindu Minority and Guardianship Act and under Section 8, 12 and 25 of the Guardian and Wards Act titled as “Jasbir Singh vs. Sita Rani @ Mona”, which is pending in the Court of learned Additional Civil Judge (Senior Division), Ludhiana to a Court of competent jurisdiction at SBS Nagar (Nawanshahr).

The marriage of the petitioner with the respondent was solemnized on 10.01.2011. One male child, namely Yuvraj was born to them on 12.08.2013. It is the case of the petitioner that after the birth of the child, the respondent started behaving in a cruel manner towards the petitioner and even refused to provide essential medicines for the child.

Because of his ill-attitude, the petitioner was left with no choice, but to leave the matrimonial home and started living with her parents at Nawanshahr.

The petitioner filed a petition under Section 125 Cr.P.C claiming maintenance, wherein, vide order dated 8.12.2016, the respondent was directed to pay Rs.2500/- to the petitioner and Rs.1500/- to the child, per month. However, not a single penny has been paid so far. As a counter-blast, the respondent has filed the petition under Section 6 of the Hindu Minority and Guardianship Act and under Sections 8, 12 and 25 of the Guardian and Wards Act for the custody of the child, at Ludhiana.

It is stated that the petitioner does not have any independent source of income. She is sustaining herself and maintaining the child by doing labour work. She has to change at least three buses in order to reach Ludhiana from her place of residence. It is difficult for the petitioner to undertake the journey along with her minor child.

Considering the aforesaid facts and circumstances, this petition is allowed.

The petition under Section 6 of the Hindu Minority and Guardianship Act and under Sections 8, 12 and 25 of the Guardian and Wards Act titled as “Jasbir Singh vs. Sita Rani @ Mona” , which is pending in the Court of learned Additional Civil Judge (Sr. Division), Ludhiana is withdrawn from that Court and transferred to SBS Nagar (Nawanshahr). The District Judge, SBS Nagar Sahib may assign it to any competent Court.

October 17, 2018

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**(HARINDER SINGH SIDHU)
JUDGE**

Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No