

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

TA-144-2017 (O&M)
Date of decision: 15.05.2018

Rajinder Kaur

.....Petitioner

versus

Varinder Kumar

.....Respondent

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.K.S.Khaira, Advocate for
Mr.Vaibhav Jain, Advocate for the petitioner
None for the respondent

- 1. Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
- 2. To be referred to the Reporters or not ?*
- 3. Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

Respondent has not appeared despite service.

Petitioner seeks transfer of petition filed under Section 9 of Hindu Marriage Act, 1955 by the respondent titled as Varinder Kumar vs. *Rajinder Kaur* pending in the Court of learned District Judge, Ludhiana to a Court of competent jurisdiction at District Hoshiarpur.

Respondent has not come present to oppose the petition despite service by way of affixation.

Perusal of petition shows that respondent has already filed a petition under the Guardian and Wards Act, 1890 at Hoshiarpur. Two other cases i.e. one under Section 498-A IPC and one under Section 125 Cr.P.C. are already pending at Garhshankar Courts, District Hoshiarpur. Petitioner stated that she has got no source of income and she is to look after her two minor children.

Considering the difficulty expressed by the petitioner and the fact that her case for custody of minor children is already pending at Hoshiarpur Courts, petition filed under Section 9 of Hindu Marriage Act, 1955 by the respondent titled as Varinder Kumar *vs. Rajinder Kaur* pending in the Court of learned District Judge, Ludhiana is withdrawn from the said Court and is transferred to learned District Judge, Hoshiarpur, who may retain the same himself or entrust it to a Court of competent jurisdiction.

Present petition stands allowed accordingly.

Since the main case has been allowed, therefore, the pending CM, if any, also stands disposed of.

15.05.2018

gk

(Kuldip Singh)
Judge

Whether speaking/ reasoned:

Yes

Whether Reportable:

No