

**101+204 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CM No.7398-CII-2018 in/and
T.A. No.417 of 2017 (O&M)
Date of decision : April 23, 2018**

Sarabjit Kaur

..... Petitioner

Versus

Narinder Kumar

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Ramandeep Singh, Advocate for
Mr. H.S. Dhindsa, Advocate for the petitioner.

Mr. G.S. Jagpal, Advocate for the respondent.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (ORAL)

CM-7398-CII-2018

Application is allowed as prayed for.

Annexurs A-1 to A-10 are taken on record.

Main Case

Petitioner seeks transfer of a petition No.149/2017, filed under Section 13 of the Hindu Marriage Act, 1955, titled as “*Narinder Kumar vs Sarabjeet Kaur*”, pending in the Court of learned District Judge, Family Court, S.B.S. Nagar, Nawanshahr to a Court of competent jurisdiction at Ludhiana, on the ground that the only minor son of the petitioner aged about four years, is afflicted with severe kidney disorder for the last three years and taking treatment at PGI Chandigarh.

It is stated that the petitioner is working as Education Guarantee Scheme Volunteer at Block Mangat-3, Ludhiana.

Learned counsel for the petitioner has relied upon the documents placed on file today to show that now the follow up treatment of the minor child is going on at Ludhiana.

On the other hand, learned counsel for the respondent has informed this Court that the respondent-husband has already concluded his evidence before the trial Court and now the evidence of the respondent-present petitioner is to be led and thereafter, the matter can be decided.

Learned counsel for the respondent has further stated that he is ready to pay the entire expenses of the treatment of his minor son.

Considering the fact that the evidence of the petitioner-respondent has already been concluded before the trial Court, there is no ground to transfer the aforesaid petition at this stage from S.B.S. Nagar, Nawanshahr Courts to Ludhiana Courts.

Consequently, the present petition is dismissed.

However, as undertaken by the learned counsel for the respondent, respondent-husband shall pay the entire expenses of the treatment of his minor son, namely, Harshit and the trial Court shall be competent to enforce this order.

(KULDIP SINGH)
JUDGE

April 23, 2018

sarita

Whether speaking / reasoned Yes

Whether Reportable: No