

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

TA No.168 of 2018
Date of decision: 16.10.2018

Harjinder Kaur .. Petitioner

vs.

Satnam Singh .. Respondent

Coram: Hon'ble Mr. Justice Harinder Singh Sidhu

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

Mr. Amit Kumar, Legal Aid Counsel

--

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 9 of the Hindu Marriage Act, 1955 titled as “Satnam Singh Vs. Harjinder Kaur (HMA No.360/2017) filed by the respondent-husband, from the Court of Additional District and Sessions Judge, Rupnagar to a Court of competent jurisdiction at Hoshiarpur.

The marriage of the petitioner was solemnized with the respondent on 26.08.2015. A male child namely Gurfateh Singh was born to them on 15.05.2016.

It is the case of the petitioner that due to differences between the parties, the petitioner was left with no option but to leave the matrimonial home along with her minor son. The petitioner is working as a teacher in Akal Academy at village Khera, Hoshiarpur.

The petitioner has filed a petition under Section 125 Cr.P.C. for maintenance, which is pending in the Court of JMIC, Hoshiarpur.

The respondent has filed the petition under Section 9 of the Hindu Marriage Act, 1955 at Rupnagar.

It is the case of the petitioner that she is employed on meager salary, which is barely sufficient for her upkeep and that of her son. The parents of the petitioner are senior citizens suffering from various diseases. The father of the petitioner has recently undergone a leg surgery. The mother of the petitioner also needs regular care. There is no one in the family, who can accompany her to attend the Court proceedings at Rupnagar, which is at a distance of 90 Kms from Hoshiarpur.

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

The petition under Section 9 of the Hindu Marriage Act, 1955 titled as "Satnam Singh Vs. Harjinder Kaur (HMA No.360/2017) filed by the respondent-husband, which is pending in the Court of Additional District and Sessions Judge, Rupnagar is withdrawn from that Court and transferred to Hoshiarpur. The District Judge, Hoshiarpur may assign it to any competent Court.

16.10.2018
Atul

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No