

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

T.A. No.739 of 2017 (O&M)

Date of decision : February 02, 2018

Rana Kanwardeep Kaur

..... Petitioner

Versus

Sukhwinder Singh

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Harinder Sharma, Advocate for the petitioner.

Mr. A.S. Barnala, 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)

Reply on behalf of the respondent has not been filed.

Heard.

Petitioner, who happens to be a Judicial Officer in the State of Punjab, has filed a divorce petition under Section 13 of the Hindu Marriage Act, 1955, titled as “*Rana Kanwardeep Kaur vs Sukhwinder Singh*”, which is now pending in the Court of District Judge, Bathinda, since the year 2014. Petitioner has sought transfer of said petition to any other District Courts at Moga, Kapurthala, Amritsar or Chandigarh.

It is stated that two children born out of the wedlock of the parties are residing with the petitioner. Now, she is posted at Tarn Taran courts. She has also levelled some allegations of manhandling against the respondent which need not be discussed in the present petition. There are other allegations levelled in the petition, which also need not to be discussed at this stage, as it may prejudice the trial court while deciding the

Respondent-husband, happens to be an Advocate, practicing at District Courts, Barnala.

Considering the fact that the petitioner is a Judicial Officer of Punjab Cadre, I am of the view that the matter is required to be decided by a Judicial Officer of Haryana Cadre. The petition is already pending for nearly four years.

It is also stated that now the petitioner has led the entire evidence and the case is fixed for cross-examination of the petitioner.

In order to ensure a fair trial and speedy justice, petition filed under Section 13 of the Hindu Marriage Act, 1955, titled as “***Rana Kanwardeep Kaur vs Sukhwinder Singh***”, pending in the Court of District Judge, Bathinda, is withdrawn from the said Court and transferred to the court of Shri Rajnish Kumar Sharma, Addl. District Judge, Chandigarh, who happens to be an officer of Haryana Cadre with a direction that the matter be decided expeditiously preferably within six months.

As such, the present petition is allowed.

Both the parties personally or through their counsel are directed to appear before the transferee court on 20.02.2018. Learned District Judge, Bathinda, is directed to send the file of the aforesaid case to the transferee court, immediately.

A copy of the this order be sent to both the concerned courts through fax.

(KULDIP SINGH)
JUDGE

February 02, 2018

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Whether speaking / reasoned

Yes

Whether Reportable:

No