

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

105

TA No.792 of 2017  
Date of decision : 13.09.2018

Tarjeet Kaur

... Petitioner

Versus

Baljinder Singh

.... Respondent

**CORAM : HON'BLE MR.JUSTICE HARINDER SINGH SIDHU**

Present:- Mr.N.S.Dandiwal, Advocate  
for the petitioner.

Mr.I.S.Dhaliwal, Advocate  
for the respondent.

**Harinder Singh Sidhu, J.**

Petitioner (wife) has filed the present petition under Section 24 of the Code of Civil Procedure for transfer of the petition under Section 9 of the Hindu Marriage Act, 1955 titled as “Baljinder Singh Vs. Tarjeet Kaur” filed by the respondent (husband) which is pending in the court of learned Civil Judge, (Sr.Divn.), Sri Muktsar Sahib, to a court of competent jurisdiction at Moga.

It is stated that the marriage between the parties was solemnized on 11.3.2009. From the wedlock, two sons namely Gagandeep Singh aged about 7 years and Arjundeep Singh aged about 6 years were born. It is stated that soon after marriage, respondent and his family members started harassing the petitioner on account of dowry. Ultimately, she was thrown out of the matrimonial home and she is living at her parental house at Moga. Father of the petitioner has passed away in the year 2011 and recently mother of the petitioner has also passed away. There is no other person in the family to look after the petitioner and her two minor children. The petitioner is alone bringing up her two minor children by doing labour work.

The petitioner has filed petition under Section 125 Cr.P.C.

which is pending at Moga.

On the other hand, the respondent has filed a petition under Section 9 of the Hindu Marriage Act at Sri Muktsar Sahib which is at a distance of about 100 kms from the place of residence of the petitioner. Therefore, it is prayed that the proceedings pending in the Court of Civil Judge (Sr.Judge), Sri Muktsar Sahib be transferred to Moga.

Considering the facts and circumstance of the case, it is appropriate that the petition under Section 9 of the Hindu Marriage Act, filed by the respondent be transferred from Sri Muktsar Sahib to Moga.

Accordingly, this petition is allowed. The petition under Section 9 of the Hindu Marriage Act, 1955 titled as “Baljinder Singh Vs. Tarjeet Kaur” pending in the Court of Civil Judge (Sr.Divn.), Sri Muktsar Sahib is withdrawn from that court and transferred to Moga. The learned District Judge, Moga may assign it to a competent court.

**(Harinder Singh Sidhu)**  
**Judge**

13.09.2018

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|---------------------------|---|--------|
| Whether speaking/reasoned | : | Yes/No |
| Whether Reportable        | : | Yes/No |