

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

TA No.246 of 2018
Date of decision: 13.09.2018

Sarabjit Kaur	vs.	.. Petitioner
Surinder Singh		.. Respondent

Coram: **Hon'ble Mr. Justice Harinder Singh Sidhu**

Present:- Mr. Harjeet Sarva, Advocate for the petitioner.

None for the respondent.

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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 13 of the Hindu Marriage Act, 1955 (DMC/93/2018) titled as “Surinder Singh Vs. Sarabjit Kaur”, pending in the Court of Additional District and Sessions Judge-II Jalandhar to a Court of competent jurisdiction at SBS Nagar (Nawanshahr).

It is stated that the marriage of the petitioner was solemnized with the respondent on 03.06.2006. One male child, namely, Karanbir was born to them on 26.02.2007 but he unfortunately died on 21.08.2014 after prolonged illness. The petitioner has been subjected to cruelty and maltreatment by the respondent and his family members because of which, she was forced to leave the matrimonial home on 27.09.2017 and since then she is residing with her parents at Hoshiarpur. The respondent has filed the petition under Section 13 of the Hindu Marriage Act, which is pending in the Court of learned Additional District & Sessions Judge-II, Jalandhar, which is at a distance of 60 kms. from SBS Nagar (Nawanshahr). The petitioner has no source of income. She is totally dependent upon her parents. There is no one who can accompany the petitioner to Jalandhar.

The respondent has been served through his counsel in the trial Court. However, when the case was taken up on 11.07.2018, no one appeared for the respondent. Today also no one has appeared for the respondent.

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

The petition under Section 13 of the Hindu Marriage Act, 1955 (DMC/93/2018) titled as “Surinder Singh Vs. Sarabjit Kaur”, pending in the Court of Additional District Sessions Judge, Jalandhar is withdrawn from that Court and transferred to SBS Nagar (Nawanshahr). The District Judge, SBS Nagar (Nawanshahr) may assign it to a competent Court..

13.09.2018
Atul

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No