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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

TA No. 863 of 2017 (O/M)
Date of decision : 10.5.2018

Amritpardeep

..... Petitioner

Versus

Kulwinder Singh

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. B.S. Bairagi, Advocate,
for petitioner.

Mr. Sanyam Malhotra, Advocate,
for 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 ?

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KULDIP SINGH J. (ORAL)

Reply not filed.

Heard. Petitioner seeks transfer of petition, i.e. petition No. HMA/41/2017, titled as *Kulwinder Singh Versus Amritpardeep*, filed under Section 9 of Hindu Marriage Act, 1955, pending in the Court of learned Additional Civil Judge (Senior Division), Kapurthala, to a Court of competent jurisdiction at Mansa.

It is stated on behalf of petitioner that proceedings under Section 125 Cr.P.C. and other case under Protection of Women from Domestic Violence Act, 2005, are already pending at Mansa Courts. Kapurthala is a distant place from Mansa. Therefore, she is unable to pursue her case at Kapurthala Courts.

On the other hand, learned counsel for respondent states that petitioner has taken away Rs. 8,00,000/- from joint account of parties.

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After considering facts and circumstances of case, I am of view that taking away of Rs. 8,00,000/- is a separate issue. Two cases are already pending between the parties at Mansa Courts. Kapurthala is at great distance from Mansa. Therefore, in the interest of justice petition No. HMA/41/2017, titled as *Kulwinder Singh Versus Amritpardeep*, filed under Section 9 of Hindu Marriage Act, 1955, pending in the Court of learned Additional Civil Judge (Senior Division), Kapurthala, is withdrawn from said Court and same is transferred to Court of learned Civil Judge(Senior Division), Mansa, who may retain the case himself or entrust the same to a Court of competent jurisdiction. Consequently, petition is allowed.

(KULDIP SINGH)
JUDGE

10.5.2018
sjks

Whether speaking / reasoned : Yes / No

Whether Reportable : Yes / No