

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

TA No. 359 of 2018(O&M)
Date of decision: 25.07.2018

Rekha	vs.	.. Petitioner
Sarabjit Masih		.. Respondent

Coram: Hon'ble Mr. Justice Harinder Singh Sidhu

Present:- Mr. P.P.S. Tung, Advocate
for the petitioner.

None for the respondent.

Harinder Singh Sidhu, J.

The petitioner, who is the wife of the respondent, has filed this transfer application under Section 24 of the Code of Civil Procedure for transfer of divorce petition titled 'Sarabjit Masih vs. Rekha', filed by the respondent, which is presently pending in the Court of learned Additional Sessions Judge, Gurdaspur to the Court of learned Additional Sessions Judge, SAS Nagar Mohali.

The marriage between the petitioner and the respondent was solemnized on 25.10.2015. It is stated that from the very beginning, the respondent and his family members have been harassing the petitioner. The petitioner gave a birth to a male child when she was in her paternal home. The respondent did not bother to take the petitioner to the matrimonial home. Instead he filed the divorce petition at Gurdaspur. The petitioner is presently residing at village Singhpura Tehsil Dera Bassi, District SAS Nagar Mohali and it is very difficult for her to attend the Court proceedings at Gurdaspur, which is about 200 KM from Mohali.

Despite service, the respondent neither appeared in person nor has anyone appeared on his behalf on 25.07.2018. Today also, the situation is same.

Considering the facts and circumstances of the case, this petition is allowed. The divorce petition titled 'Sarabjit Masih vs. Rekha', filed by the respondent, which is presently pending in the Court of learned Additional Sessions Judge, Gurdaspur is withdrawn from the said Court and transferred to SAS Nagar Mohali. The District Judge, SAS Nagar Mohali may assign it to any competent Court.

25.07.2018
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(Harinder Singh Sidhu)
Judge

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