

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

TA No. 368 of 2018(O&M)
Date of decision: 27.07.2018

Ramandeep Kaur

.. Petitioner

vs.

Kuldeep Singh

.. Respondent

Coram: Hon'ble Mr. Justice Harinder Singh Sidhu

Present:- Mr. Pankaj Katia, 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 case bearing No. GW 4 of 2018 titled 'Kuldeep Singh vs. Ramandeep Kaur', filed by the respondent, which is presently pending in the Court of learned Additional Civil Judge (Sr. Divn.), Panchkula to the competent Court of jurisdiction at Tehsil Budhlada, District Mansa.

The marriage between the petitioner and the respondent was solemnized on 20.01.2011 and a daughter was born to her on 26.10.2012. It is stated that at present the infant daughter is living with the petitioner. By filing a petition under Section 13-B of the Hindu Marriage Act in the Court of learned Additional District Judge, Chandigarh, marriage between the parties was dissolved on 13.02.2015. Thereafter, the petitioner and the respondent again solemnized their marriage on 20.10.2016. Immediately thereafter, the petitioner was thrown out from her matrimonial home for not bringing adequate dowry. FIR No. 62 dated 28.07.2017 under Sections 323, 498-A read with Section 34 IPC was registered at Police Station Mansa Devi Complex, Panchkula.

It is stated that the petitioner is residing with her parents and minor child at Budhlada. The distance between Panchkula and Budhlada is approximately 200 KM and it is very difficult for the petitioner to attend the Court proceedings at Panchkula.

Learned counsel for the petitioner states that the mother of the petitioner is not keeping good health and her father has already passed away. If the petitioner is to attend the Court proceedings at Panchkula, there would be nobody to look after the minor child.

The respondent was duly served through his father. But neither he appeared in person nor anyone appeared on his behalf on 29.05.2018. Today also, the situation is same.

Considering the facts and circumstances of the case, this petition is allowed. The case bearing No. GW- 4 of 2018 titled 'Kuldeep Singh vs. Ramandeep Kaur', filed by the respondent, which is presently pending in the Court of learned Additional Civil Judge (Sr. Divn.), Panchkula is withdrawn from the said Court and transferred to Budhlada, District Mansa. The District Judge, Mansa may assign it to any competent Court at Budhlada.

27.07.2018
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(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No