

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

TA No.380 of 2018
Date of decision: 11.09.2018

Rekha Rani Singh	vs.	.. Petitioner
Dr. Manmohan Singh		.. Respondent

Coram: Hon'ble Mr. Justice Harinder Singh Sidhu

Present:- Mr. Sanjeev Sharma, Advocate for the petitioner.

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Harinder Singh Sidhu, J.

This petition has been filed under Section 24 of the Code of Civil Procedure for transferring the divorce petition bearing Registration No.29 of 2018 filed by the respondent titled as “Dr. Manmohan Singh Vs. Rekha Rani Singh pending in the Court of Additional District Judge, Hoshiarpur to a Court of competent jurisdiction at Chandigarh.

It is stated that the marriage of the petitioner was solemnized with the respondent on 28.04.2013. The respondent was a divorcee at the time of his marriage with the petitioner. He already has a male child, who was living with his previous wife. It is stated that petitioner has been subjected to mental and physical cruelty by the respondent and his family since the very beginning. A son was born to the parties, who is aged about 4 years. He is residing with the petitioner. The petitioner herself is residing with her brother. She has no independent source of income. The petitioner has filed petition under Section 125 Cr.P.C. , which is pending adjudication at Chandigarh. The respondent filed a divorce petition. Father of the petitioner is suffering from liver cancer and is undergoing treatment of PGI. It is difficult for her to attend the court proceedings at Hoshiarpur, which is at a distance of 135 kms from the Chandigarh.

The respondent has been served when the case was taken up on 30.05.2018, learned counsel for the respondent requested for time to file reply. Thereafter, the case was listed on 05.09.2018, however no one has appeared for the respondent. Today, the case has been called twice. However, no one has put in appearance on behalf of the respondent.

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

The divorce petition bearing Registration No.29 of 2018 filed by the respondent titled as “Dr. Manmohan Singh Vs. Rekha Rani Singh pending in the Court of Additional District Judge, Hoshiarpur is withdrawn from that Court and transferred to Chandigarh. The District Judge, Chandigarh may assign it to a competent Court at Chandigarh.

11.09.2018
Atul

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No