

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

TA No.383 of 2018
Date of decision: 14.09.2018

Prabhjot Kaur .. Petitioner

vs.

Deepak Bajaj .. Respondent

Coram: Hon'ble Mr. Justice Harinder Singh Sidhu

Present:- Mr. Parminder Singh Kanwar, Advocate
for the petitioner.

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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 9 of the Hindu Marriage Act, 1955 titled as “Deepak Bajaj Vs. Prabhjot Kaur”, filed by the respondent, which is pending in the Court of Ld. Additional Civil Judge, Sr. Division, Guruharsahai to a Court of competent jurisdiction at Hoshiarpur.

It is stated that the marriage of the petitioner was solemnized with the respondent on 16.07.2004. Two children were born to them namely, Nanya Bajaj and Tanmany on 07.08.2005 and 25.10.2007 respectively. The petitioner has been subjected to cruelty and maltreatment at the hands of the respondent and his family and she was ultimately forced to leave the matrimonial home. Since then she is residing with her late mother's sister at Hoshiarpur along with her two minor children. The respondent has filed the petition under Section 9 of the Hindu Marriage Act, 1955, which is pending before the Additional Civil Judge, Sr. Division, Guruharsahai, which is at a distance of 170 Kms. from Hoshiarpur. The petitioner has no independent source of income. It is very difficult for her to attend the Court proceedings at Guruharsahai.

The respondent has been served. However, no one has put in appearance on his behalf. On the previous date i.e. 09.08.2018 also no one had appeared for the respondent.

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

The petition under Section 9 of the Hindu Marriage Act, 1955 titled as “Deepak Bajaj Vs. Prabhjot Kaur”, pending in the Court of Ld. Additional Civil Judge, Sr. Division, Guruharsahai is withdrawn from that Court and transferred to Hoshiarpur. The District Judge, Hoshiarpur may assign it to a competent Court.

14.09.2018
Atul

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No