

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

106

TA-388-2018 (O&M)

Date of Decision:- 23.08.2018

RUPINDER KAUR

.....Appellant

V/S

HARINDER SINGH.

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present:- Mr.Rajender Kumar, Advocate
for the petitioner.

Mr.H.S.Dhandi, Advoate
for the respondent.

HARINDER SINGH SIDHU J.

This petition under Section 24 of the Code of Civil Procedure has been filed by the petitioner for transfer of the case under Section 9 of the Hindu Marriage Act, titled as “Harinder Singh Vs. Rupinder Kaur and others” filed by the respondent, from the court of Additional Civil Judge (Sr. Divn.), Rajpura to Court of competent jurisdiction at Chandigarh.

The marriage between the petitioner and respondent was solemnized on 24.10.2010 at Manimajra, Chandigarh. It is the case of the petitioner that soon after the marriage, the respondent started harassing her and she was thrown away by the respondent from matrimonial house. The petitioner is now residing with her parents at Manimajra, Chandigarh. She is wholly dependent upon her parents. It is further stated that three cases are pending between the parties at Chandigarh and the respondent has appeared in all the cases. It is further case of the petitioner that the respondent is working as Air Condition Mechanic in Shop No.1967, near Saini Gurudwara, Main market, Burail, Sector 45-B, Chandigarh.

Learned counsel for the respondent on the other hand has urged

that there is no justification for transfer of the petition. He states that three cases filed by the petitioner at Chandigarh are a counter blast to the petition instituted by the respondent at Rajpura. He further states that Rajpura is only at a distance of 56 kms. from Chandigarh.

I have heard learned counsel for the parties.

Considering the facts and circumstance of the case, it may be appropriate that the petition under Section 9 of the Hindu Marriage Act, filed by the respondent be transferred from Rajpura to Chandigarh.

Accordingly, this petition is allowed. The petition under Section 9 of the Hindu Marriage Act, 1955 titled as “Harinder Singh Vs. Rupinder Kaur and others” pending in the Court of Additional Civil Judge (Sr.Divn.), Rajpura is withdrawn from that court and transferred to Chandigarh. The learned District Judge, Chandigarh may assign it to a competent court at Chandigarh.

(Harinder Singh Sidhu)
Judge

23.08.2018

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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No106