

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

TA No. 403 of 2018(O&M)
Date of decision: 31.08.2018

Priya

.. Petitioner

vs.

Parvinder Kumar

.. Respondent

Coram: Hon'ble Mr. Justice Harinder Singh Sidhu

Present:- Ms. Gurpal Kaur Dulat, Advocate
for the petitioner.

None for the respondent.

Harinder Singh Sidhu, J.

The petitioner, who is the wife of the respondent-Parvinder Kumar, has filed the present petition under Section 24 of the Code of Civil Procedure for transfer of petition under Section 9 of the Hindu Marriage Act, titled as 'Parvinder Kumar vs. Priya', filed by the respondent, which is pending in the Court of learned Additional Civil Judge (Senior Division), Phillaur, District Jalandhar to the Court of competent jurisdiction at District Shahid Bhagat Singh Nagar.

It is stated that the marriage between the petitioner and the respondent was solemnized on 25.12.2013. The respondent and his family members harassed the petitioner and she was turned out of the matrimonial home in the last week of January 2016. The petitioner has also a minor child aged about 3 years. Since then the petitioner alongwith her minor child is residing with her parents and she is totally dependent upon them. Repeatedly, attempts for resolving the dispute with the intervention of the members of the panchayat have been made, but to no avail.

Learned counsel for the petitioner states that the distance between the residence of the petitioner and Phillaur, where the Court proceedings are going on, is about 63 KM. It is very difficult for the petitioner to attend the Court proceedings at Phillaur .

The respondent has been served. However, even on second call, no one has put in appearance on behalf of the respondent.

Considering the facts and circumstances of the case, this petition is allowed. The petition under Section 9 of the Hindu Marriage Act titled as 'Parvinder Kumar vs. Priya', filed by the respondent, which is pending in the Court of learned Additional Civil Judge (Senior Division), Phillaur is withdrawn from the said Court and transferred to Sahid Bhagat Singh Nagar. The District Judge, Sahid Bhagat Singh Nagar may assign it to any competent Court.

31.08.2018
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(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No