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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

TA No. 50 of 2018(O/M)

Date of decision : 6.4.2018

Sukhwinder Kaur

..... Petitioner

Versus

Balwinder Singh

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Amit Arora, Advocate, for petitioner.

None for respondent.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH J. (ORAL)

Respondent duly served, but not present. He is proceeded against ex parte.

Heard.

Petitioner seeks transfer of petition titled as *Balwinder Singh Vesus Sukhwinder Kaur*, filed under Sections 11, 12 and 13 of the Hindu Marriage Act, 1955, pending in the Court of learned Additional District Judge, Amritsar, to a Court of competent jurisdiction at Tarn Taran. It is stated that execution of application filed under Section 125 Cr.P.C. is pending at Tarn Taran Courts. It is stated that petitioner is facing financial difficulty and is unable to engage a counsel at Amritsar Courts.

TA No. 50 of 2018(O/M)

I am of the view that petition titled as *Balwinder Singh Vesus Sukhwinder Kaur*, filed under Sections 11, 12 and 13 of the Hindu Marriage Act, 1955, pending in the Court of learned Additional District Judge, Amritsar, should not be transferred from Amritsar Courts to Tarn Taran Courts. The distance between Amritsar and Tarn Taran is not much. There is frequent bus and rail service. It has now become virtually local to go from Tarn Taran to Amritsar. The plea of being not able to engage a counsel at Amritsar Courts can be met by appointment of a free legal aid counsel, to which the petitioner is otherwise entitled. As such, petition is dismissed. However, the Chairman, District Legal Services Authority, Amritsar, is directed to appoint a free legal aid counsel for the petitioner.

(KULDIP SINGH)
JUDGE

6.4.2018
sjks

Whether speaking / reasoned : Yes / No

Whether Reportable : Yes / No