

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

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[TA-511-2018 \(O&M\)](#)
[Date of decision : 27.08.2018](#)

RAJDEEP KAUR

... Petitioner

Versus

JAGPREET SINGH

... Respondent

CORAM: HON'BLE MR.JUSTICE HARINDER SINGH SIDHU

Present:- Mr.Sherry K.Singla, Advocate
for the petitioner.

Harinder Singh Sidhu, J

The petitioner wife has filed the present petition seeking transfer of the petition under Section 9 of the Hindu Marriage Act, titled as “Jagpreet Singh Vs. Rajdeep Kuar” filed by the respondent, husband which is pending before the Additional District Judge (Family Court), Barnala, to a court of competent jurisdiction at Malerkotla, District Sangrur.

It is stated that the marriage between the parties was solemnized on 5.3.2017. The petitioner was being harassed and taunted on account of bringing less dowry. She was thrown out from the matrimonial home on 17.6.2017. However, the petitioner returned to her matrimonial home with the intervention of the respectables on 13.12.2017 where she gave birth to the son Tejbir on 15.12.2017. Despite that there was no change in the attitude of the respondent. Because of which, the petitioner had to leave the matrimonial home once again on 11.1.2018.

Now the petitioner is residing with her parents at Ahmedgarh, Tehsil Malerkotla, District Sangrur. Her son who is now aged about 7 months old, is also residing with her. Father of the petitioner has already been expired and her only brother is handicapped. In these circumstances, it is very difficult for her to attend the court proceedings at Barnala which is

at a distance of 160 kms, from her place of residence.

The respondent has been duly served. However, no one has put in appearance on his behalf. Even when the case was listed on 27.8.2018 and 16.08.2018, no one had appeared for the respondent.

Considering the facts and circumstance of the case, it is appropriate that the petition under Section 9 of the Hindu Marriage Act, filed by the respondent, husband, be transferred from Barnala to a Court of competent jurisdiction at Malerkotla, District Sangrur.

Accordingly, this petition is allowed. The petition under Section 9 of the Hindu Marriage Act, 1955 titled as "*Jagpreet Singh Vs. Rajdeep Kaur*" pending in the Court of Additional District Judge (Family Court) Barnala is withdrawn from that court and transferred to Malerkotla, District Sangrur. The learned District Judge, Sangrur may assign it to a competent court at Malerkotla, District Sangrur.

(Harinder Singh Sidhu)
Judge

27.08.2018
sd

Whether speaking/ reasoned:
Whether Reportable:

Yes/No
Yes/No