

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

106

TA-550-2018 (O&M)

Date of Decision : 14.11.2018

Manpreet Kaur

..... Petitioner

Versus

Navdeep Singh

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. R.S. Randhawa, Advocate
for the petitioner.

Mr. L.M. Gulati, Advocate
for the respondent.

AJAY TEWARI, J. (Oral)

This transfer application has been filed for transferring the petition under Section 13 of the Hindu Marriage Act from the District Court Tarn Taran to the competent Court in Ludhiana.

The ground taken is that the petitioner-wife has a 3 years old daughter and its very difficult for her to commute on every hearing between Ludhiana and Tarn Taran. Moreover, the respondent is already facing proceedings under Section 125 Cr.P.C. at District Court, Ludhiana.

Counsel for the respondent on the other hand has argued that these are two independent petitions and if the respondent can be expected to travel to Ludhiana for the case under Section 125 Cr.P.C. then the petitioner should have no objection in travelling to Tarn Taran for the divorce petition.

In my opinion, the stand of the petitioner seems to be more meritorious. In the circumstances, the matter is transferred to the District Court, Ludhiana. The record be sent to the District Court, Ludhiana by the District Court, Tarn Taran. Parties through counsel are directed to appear before the District & Sessions Judge, Ludhiana on 20.12.2018 who can decide the case himself or mark it to any other competent Court.

Transfer application stands allowed.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stands disposed of.

November 14, 2018
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No