

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

TA No.580 of 2018

Date of decision: 26.09.2018

Neetu

.. Petitioner

vs.

Surinder Kumar

.. Respondent

Coram: Hon'ble Mr. Justice Harinder Singh Sidhu

Present:- Mr. Pritpal Singh Miglani, Advocate
for the petitioner.

None for the respondent.

Harinder Singh Sidhu, J.

The petitioner wife has filed this petition under Section 24 of the Code of Civil Procedure for transferring the petition under Section 9 of the Hindu Marriage Act, 1955 titled as “Surinder Kumar Vs. Neetu”, filed by the respondent, which is pending in the Court of Ld. Additional Civil Judge (Sr. Division), Gurdaspur to a Court of competent jurisdiction at Ludhiana.

It is stated that the marriage of the petitioner was solemnized with the respondent on 28.10.2006. After the marriage, they were residing at Ludhiana. One male child, namely, Rohan Jarewal, was born to them, who is presently aged about 5 years. It is alleged that behaviour of the respondent towards the petitioner became cruel. The respondent even refused to discharge his responsibilities towards the petitioner and his minor child. The petitioner was turned out from her matrimonial home. Thereafter, she is residing with her parents. Her son is studying in CFC School at Ludhiana.

It is stated that the respondent is permanently working in Monte Carlo Fashions Limited, G.T. Road, Sherpur, Ludhiana yet he chose to file

the petition under Section 9 of the Hindu Marriage Act at Gurdaspur. It is very difficult for the petitioner to attend the Court at Gurdaspur, which is at a distance of about 150 kms from her place of residence.

On the last two dates, the case was adjourned on the request of learned counsel for the respondent. Today, no one has put in appearance on behalf of the respondent.

Considering the aforesaid facts and circumstances, this petition is allowed.

The petition under Section 9 of the Hindu Marriage Act, 1955 titled as “Surinder Kumar Vs. Neetu”, filed by the respondent, which is pending in the Court of Ld. Additional Civil Judge (Sr. Division), Gurdaspur is withdrawn from that Court and transferred to Ludhiana. The District Judge, Ludhiana may assign it to a competent Court.

26.09.2018
Atul

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No