

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

TA No.593 of 2018

Date of decision: 09.10.2018

Amandeep Kaur

.. Petitioner

vs.

Amandeep Singh

.. Respondent

Coram: Hon'ble Mr. Justice Harinder Singh Sidhu

Present:- Mr. G.S. Bajwa, Advocate
for the petitioner.

Mr. Ishan Gupta, Advocate
for respondent No.1.

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Harinder Singh Sidhu, J.

The petitioner wife has filed this petition under Section 24 of the Code of Civil Procedure for transferring the application No.19 dated 24.08.2017 titled as “Amandeep Singh Vs. Karamjeet Singh and others” under Section 25 of the Guardians and Wards Act, 1890, which is pending in the Court of Ld. Civil Judge (Sr. Division), Sangrur to a Court of competent jurisdiction at Fatehgarh Sahib.

The marriage of the petitioner with the respondent was solemnized on 27.11.2005. A daughter was born to them on 03.11.2007. It is stated that soon after the marriage, the relations between the petitioner and the respondent became strained. Though sufficient amount was spent on the marriage, the petitioner was harassed on account of dowry. The petitioner was forced to leave the matrimonial home in October, 2016. Since then she is residing at her parents at Bassi Pathana, Fatehgarh Sahib. The minor daughter is also residing with her at Bassi Pathana. She has been admitted in a School at Bassi Pathana.

The respondent has filed a petition under Section 25 of the Guardians and Wards Act, 1890 seeking custody of the minor child at

Sangrur, transfer whereof to Fatehgarh Sahib has been sought. The applicant and her minor daughter have presently attend the Court at Sangrur, which is not only difficult for the petitioner but is also adversely affected the minor child.

Learned counsel for the respondent states that the petitioner is permanently residing in Australia. She left for Australia in 2017. Her minor has been living with the parents of the petitioner at Bassi Pathana. He states that the petitioner has concealed this fact while filing the present petition.

Learned counsel for the petitioner on the other hand contends that no doubt the petitioner had gone to Australia for sometime. However, she has shifted to Bassi Pathana. The petitioner has been offered a job in Master Mind Coaching Centre at Fatehgarh Sahib as P.T.E. Trainer. She would join there soon. She has no intention of going to Australia in the near future.

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

The application No.19 dated 24.08.2017 titled as “Amandeep Singh Vs. Karamjeet Singh and others” under Section 25 of the Guardians and Wards Act, 1890, which is pending in the Court of Ld. Civil Judge (Sr. Division), Sangrur is withdrawn from that Court and transferred to Fatehgarh Sahib. The District Judge, Fatehgarh Sahib may assign it to any competent Court.

(Harinder Singh Sidhu)
Judge

09.10.2018
Atul

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No