

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

TA No. 606 of 2018 (O&M)

Date of decision : 17.12.2018

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Baljeet Kaur

.....Applicant

vs.

Sikandar Singh

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Digvijay Nagpal, Advocate for the applicant.

None for the respondent.

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H. S. Madaan, J. (Oral)

As per the office report, respondent has been served, but none has appeared on his behalf.

Applicant – Baljeet Kaur, by way of moving the instant application is seeking transfer of divorce petition, filed by her husband Sikandar Singh, who is respondent in the present application, against her, having title 'Sikandar Singh vs. Baljeet Kaur' pending in the Court of District Judge, Bathinda, to a Court of competent jurisdiction at Mansa.

According to the applicant, she was married with respondent

Sikandar Singh on 28.3.2004. Thereafter the spouses resided together. The marriage was consummated. The applicant gave birth to a male child, namely, Sukhman Singh from the loins of the respondent on 5.9.2005. On account of dispute between the spouses, the applicant, alongwith the minor son had to walk out of the matrimonial home and start residing with her parents at village Rarh, Tehsil and District Mansa. Her husband has filed a divorce petition against her, which is pending in the Court of District Judge, Bathinda. Being a young woman of 25 years, taking care of minor son of the parties, having no source of income, it is difficult for her to go from Mansa to Bathinda, to attend the dates of hearing in Court there. Therefore, the application be accepted.

Notice of the application was given to the respondent, who as per the office report has been duly served, but has not opted to appear and offer the contest.

I have heard learned counsel for the applicant, besides going through the record. I find that the applicant being a young woman, residing with her parents, taking care of a minor child of the parties, it would definitely be inconvenient for her to go from Mansa to Bathinda, to attend the dates of hearing, more particularly when financial constraints are there.

It being so, the application is accepted. The petition in question pending in the court of District Judge, Bathinda, is withdrawn from that Court and transferred to the Court of District Judge, Mansa, who may retain the case on his Board or assign it to any other Court of competent jurisdiction for disposal in accordance

with law. Parties through counsel are directed to appear there on 22.1.2019.

A copy of the order be sent to the Courts concerned, for information and necessary compliance.

17.12.2018
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(H.S. Madaan)
Judge

Whether speaking / reasoned	Yes / No
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Whether reportable	Yes / No
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