

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

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TA No.613 of 2018 (O&M)
Date of decision : 26.09.2018

Ramanpreet Kaur

...Petitioner

Versus

Gurpreet Singh Sekhon

....Respondent.

CORAM: HON'BLE MR.JUSTICE HARINDER SINGH SIDHU

Present:- Mr.Harjot Singh Mann, Advocate
for the petitioner.
Mr. Vipul Aggarwal, Advocate
for the respondent.

Harinder Singh Sidhu, J.

Petitioner (wife) has filed the present petition under Section 24 of the Code of Civil Procedure for transfer of the petition under Section 9 of the Hindu Marriage Act, 1955 titled as “Gurpreet Singh Sekhon Vs. Ramanpreet Kaur” (HMA No.07 of 2018) and petition under Sections 7 and 25 of the Guardian and Wards Act, 1890 titled as Gurpreet Singh Sekhon Vs. Ramanpreet Kaur” (G.W. No.2 of 2018) filed by the respondent (husband) which are pending before learned Addl. Civil Judge (Sr.Divn.), Baba Bakala Sahib to a court of competent jurisdiction at Ludhiana.

It is stated that marriage of the petitioner with respondent was solemnized on 9.11.2003. From this wedlock, two children i.e. one daughter and one son were born on 07.08.2005 and 31.7.2012 respectively. The case of the petitioner is that soon after the marriage, respondent and his family members started harassing her for demand of dowry, because of which, she was left with no option but to leave her matrimonial home and she started living with her parents at Ludhiana.

Petitioner filed a petition under Section 13 of the Hindu Marriage Act on 24.4.2017 which is pending in the court of learned Addl.

District Judge, Ludhiana. Thereafter, respondent has filed the petitions, transfer whereof has been sought.

It is stated that the petitioner is posted as Principal at R.P.S. Public School Ghatal Mahaniwas Dharuhera, Bhiwadi (Haryana) and she is living there along with her children. It is very difficult for the petitioner to attend the court proceedings at Baba Bakala Sahib (Amritsar) which is at a distance of more than 300 km from Bhiwadi (Haryana) where she is working and residing.

Learned counsel for the respondent states that the respondent is working as Branch Manager in IDBI Bank. Presently, he is posted at Jammu. He further states that there is no justification for transfer of the aforesaid two petitions from Baba Bakala Sahib to Ludhiana as the petitioner is not residing there but she is posted at Bhiwadi (Haryana).

Learned counsel for the petitioner contends that after being thrown out of her matrimonial home, the petitioner has been staying with her parents at Ludhiana. He further states that it is only because of her job, the petitioner is residing along with her children at Bhiwadi (Haryana). It is further stated that the respondent is already appearing at Ludhiana in the petition under Section 13 of the Hindu Marriage Act filed by the petitioner.

Considering the facts and circumstance of the case, it is deemed appropriate that the petitions under Section 9 of the Hindu Marriage Act, 1955 titled as “Gurpreet Singh Sekhon Vs. Ramanpreet Kaur” (HMA No.07 of 2018) and petition under Sections 7 and 25 of the Guardian and Wards Act, 1890 titled as Gurpreet Singh Sekhon Vs. Ramanpreet Kaur” (G.W. No.2 of 2018) filed by the respondent (husband) be transferred from Baba

Bakala Sahib to Ludhiana.

Accordingly, this petition is allowed. The petitions under Section 9 of the Hindu Marriage Act, 1955 titled as “Gurpreet Singh Sekhon Vs. Ramanpreet Kaur” (HMA No.07 of 2018) and petition under Sections 7 and 25 of the Guardian and Wards Act, 1890 titled as Gurpreet Singh Sekhon Vs. Ramanpreet Kaur” (G.W. No.2 of 2018) filed by the respondent (husband) which are pending at Baba Bakala Sahib are withdrawn from that court and transferred to Ludhiana. The learned District Judge, Ludhiana may assign the same to a competent court at Ludhiana.

(Harinder Singh Sidhu)
Judge

26.09.2018
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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No