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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

TA No. 64 of 2018 (O/M)
Date of decision : 10.5.2018

Jaspreet Kaur Sharma

..... Petitioner

Versus

Amit Kumar Sharma

..... Respondent

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Divyadeep Walia, Advocate,
for petitioner.

Mr. Rajeev Sharma, Advocate,
for respondent.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

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KULDIP SINGH J. (ORAL)

Heard.

Petitioner seeks transfer of petition, titled as *Amit Kumar Sharma Versus Jaspreet Kaur Sharma*, filed under Section 12 of Hindu Marriage Act, 1955, pending in the Court of learned Additional District Judge, Ludhiana, to a Court of competent jurisdiction at Bathinda, where the petitioner is residing.

The learned counsel for petitioner states that petition for annulment of marriage has been filed on the ground that petitioner is suffering from recurrent attacks of insanity, Schizophrenia, epilepsy etc.

On the other hand, learned counsel for respondent states that petitioner has already been proceeded against ex parte at Ludhiana Courts and that except one witness, all witnesses belong to Ludhiana,

I am of the view that considering the grounds on which petition

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for annulment of marriage has been filed i.e. recurrent attacks of insanity, Schizophrenia, epilepsy etc., therefore, petitioner is not in a mental condition to go from Bathinda to Ludhiana Courts to pursue her case. Even though she has been proceeded against ex parte, Court can always contest the case.

In these circumstances, petition, titled as *Amit Kumar Sharma Versus Jaspreet Kaur Sharma*, filed under Section 12 of Hindu Marriage Act, 1955, pending in the Court of learned Additional District Judge, Ludhiana, is withdrawn from said Court and same is transferred to the Court of learned District Judge, Bathinda. Both the parties are directed to put in appearance before the Court of learned District Judge, Bathinda, on 29.5.2018. The file be sent to transferee Court immediately. The transferee Court shall also allow petitioner to contest her petition. Respondent is also ordered to pay Rs. 5,000/- to petitioner as litigation expenses of present case. Since main case has been allowed, therefore, pending application, if any, also stands disposed of.

(KULDIP SINGH)
JUDGE

10.5.2018
sjks

Whether speaking / reasoned : Yes / No

Whether Reportable : Yes / No