

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

105

TA No.664 of 2018
Date of decision : 18.09.2018

Gurinder Kaur

...Petitioner

Versus

Ravinder Singh

.... Respondent.

CORAM: HON'BLE MR.JUSTICE HARINDER SINGH SIDHU

Present:- Mr.Dharminder Singh Randhawa,
Advocate for the petitioner.
Mr.Amit Kumar Walia, Advocate for the respondent.

Harinder Singh Sidhu, J.

Reply on behalf of the respondent filed in the Court, is taken on record.

The petitioner-wife has filed the present petition under Section 24 of the Code of Civil Procedure seeking for transfer of the case HMA No.300/2018 u/s 13 of the Hindu Marriage Act, titled as “Ravinder Singh Vs. Gurinder Kaur” filed by the respondent (Annexure P/1) from the court of Addl. District and Sessions Judge, Sangrur to a court of competent jurisdiction at Patiala.

The marriage of the petitioner with respondent was solemnized on 6.11.2011. It is the case of the petitioner that soon after the marriage, the respondent and his family members started abusing and harassing the petitioner for her inability to conceive. The petitioner was initially working as teacher in a private school namely Rose Merry Public School, Sunam but due to cruel behavior of respondent and his family members, the petitioner had to give up her job. In December, 2017, the petitioner moved an application to the SSP, against the respondent and his family members but the matter was compromised. On 12.6.2018, the petitioner was beaten and thrown out of the matrimonial home. Since then, she is residing with her parents at Patiala. The petitioner is unemployed and she is wholly dependent upon her aged parents.

The petitioner has filed a complaint under Section 12 of *Protection of Women from Domestic Violence Act* at Patiala which is pending before the court of JMIC, Patiala.

It is the case of the petitioner that the respondent is employed at Furnishing Department of Rail Coach Factory at Kapurthala and resides and works at Kapurthala and occasionally visits at his house at Sunam. However, he has filed a petition under Section 13 of the Hindu Marriage Act at Sangrur. It is very difficult for the petitioner to attend the court proceedings at Sangrur which is at a distance of 55 kms from Patiala.

On the other hand, learned counsel for the respondent states that he would be willing to bear the travel expenses of the petitioner from her place of residence to Sangrur. Hence, there is no need to transfer the petition under Section 13 of the Hindu Marriage Act filed by him at Sangrur to Patiala where the petitioner is residing.

Considering the facts and circumstance of the case, it is deemed appropriate that the petition under Section 13 of the Hindu Marriage Act, filed by the respondent be transferred from Sangrur to Patiala.

Accordingly, this petition is allowed. The petition under Section 13 of the Hindu Marriage Act, 1955 titled as “Ravinder Singh Vs. Gurinder Kaur” pending in the Court of Addl. District and Sessions Judge, Sangrur is withdrawn from that court and transferred to Patiala. The learned District Judge, Patiala may assign it to a competent court.

(Harinder Singh Sidhu)
Judge

18.09.2018

sd

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