

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

TA No. 685 of 2018 (O&M)

Date of decision : 18.12.2018

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Amarjit Kaur

.....Applicant

vs.

Daljit Singh

.....Respondent

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

Present: Mr. Surinder Singh, Advocate for the applicant.

None for the respondent.

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H. S. Madaan, J. (Oral)

Applicant – Amarjit Kaur, aged 28 years, w/o Daljit Singh, presently residing with her parents at village Lohgarh, near Zirakpur, Tehsil Derabassi, District SAS Nagar, Mohali, has filed the instant application under Section 24 CPC, seeking transfer of petition under Section 9 of the Hindu Marriage Act, filed by her husband, who is respondent in the present application, against her, having title 'Daljit Singh vs. Amarjit Kaur' pending in the Court of Additional Civil Judge (Senior Division), Khanna, District Ludhiana, to a Court of competent jurisdiction at Derabassi.

As per averments in the application, the distance between her parental place, where she is putting up and Khanna is about 80 kms on one side. Minor daughter of the parties, presently aged about a little more than 2 ½ years, is under the care and custody of the

applicant. The girl child is not keeping good health and is getting treatment from PGI. Under the circumstances, it is difficult for her to go to Khanna, to attend the dates of hearing there, more particularly, when she does not have any source of income and meeting travelling expenses shall be a financial constraint upon her. Therefore, the application be accepted.

Notice of the application was given to the respondent, who as per the office report, has been served through his counsel in the trial Court, but he has not put in appearance to offer a contest.

I have heard learned counsel for the applicant, besides going through the record.

Keeping in view the contentions in the application and submissions made by learned counsel for the applicant, I find that ends of justice demand that the application be allowed.

Accordingly, the application is accepted. The petition in question pending in the court of Additional Civil Judge (Senior Division), Khanna, is withdrawn from that Court and transferred to the Court of Additional Civil Judge (Senior Division), Derabassi, for disposal in accordance with law. Parties through counsel are directed to appear there on 23.1.2019.

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

18.12.2018
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(H.S. Madaan)
Judge

Whether speaking / reasoned
Whether reportable

Yes / No
Yes / No