

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

T.A. No. 691 of 2018 (O&M)

Date of decision : 11.12.2018

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Rupinder Kaur

.....Applicant

vs.

Rohit Kumar @ Bunty

.....Respondent

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

Present: Mr. J.S. Moudgill, Advocate
for the applicant.

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H. S. Madaan, J. (Oral)

By way of filing the present application under Section 24 of CPC, applicant Rupinder Kaur, aged about 28 years, seeks transfer of petition under Section 9 of the Hindu Marriage Act, for restitution of conjugal rights filed by her husband Rohit Kumar @ Bunty, who is respondent in the present application, having title 'Rohit Kumar vs. Rupinder Kaur', pending in the Court of Civil Judge (Junior Division), Patiala, to a court of competent jurisdiction, at Sunam. According to the applicant, on account of matrimonial discord between the spouses, she is residing in her parental house at Sunam. She being a women, having no source of income, it is difficult for her to go to Patiala, travelling a distance of 70 kms, incurring expenditure on travelling and furthermore, the proceedings in the case may stretch to several years. A petition for grant of maintenance filed by the applicant is already pending in the Court at Sunam.

Notice of the application was given to the respondent. The respondent has been duly served through his mother, but has not opted to put in appearance.

I have heard the submissions made by learned counsel for the applicant besides going through the record.

Keeping in view the contentions made in the application and submissions made by learned counsel for the applicant, I find that the application has got merit and deserves to be accepted. Therefore, the same is allowed. Petition in question pending in the court of Civil Judge (Junior Division), Patiala, is withdrawn from that Court and transferred to the Court of Civil Judge (Senior Division), Sunam. Parties through counsel are directed to appear there on 17.1.2019.

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

11.12.2018
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(H.S. Madaan)
Judge

Whether speaking / reasoned
Whether reportable

Yes / No
Yes / No