

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

T.A. No. 754 of 2018

DATE OF DECISION :- December 14, 2018

Varinder Kaur

...Applicant

Versus

Gian Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. Ajay Bhardwaj, Advocate for the applicant.

Applicant Varinder Kaur, aged 34 years by way of moving the present application seeks transfer of divorce petition filed by her husband / Gian Singh, who is respondent in the present application having title Gian Singh versus Varinder Kaur, pending in the Court of Additional District Judge, Patiala to the court of competent jurisdiction at Karnal. According to the applicant, she was married with respondent on 27.11.2003. Thereafter they started residing together. The marriage was consummated and she gave birth to two children i.e. a daughter namely Damandeep Kaur on 13.1.2005 and a son namely Gurkirat Singh on 29.7.2009 from loins of respondent. On account of dispute having been arisen between her and her husband Gian Singh after the marriage she had to walk out of the matrimonial home and started residing with her parents at Village Bansa. Her husband has filed a divorce petition against her in the Court at Patiala. Since she is a young

woman, require to take care of two minor children of the parties, having no source of income, it is difficult for her to travel from her village Bansa to Patiala travelling a distance of 250 kms on one side to attend the dates of hearing in the Court at Patiala. Moreover travelling expenses shall be a burden upon her, therefore, application be accepted.

Notice was given to the respondent. As per office report respondent concealed to avoid service when the executing official went for his service, therefore, he is taken to be duly served.

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

I am of view that the application calls for acceptance, the same is accordingly allowed. The petition in question is ordered to be withdrawn from the Court of Mrs. Saru Mehta Kaushik, Additional District Judge, Patiala and transferred to the Court of District Judge, Karnal for disposal in accordance with law. Learned District Judge, Karnal may retain the petition on his board or assign it to any other Court of competent jurisdiction.

The parties through their counsel are directed to appear in the transferee Court on 21.1.2019. Copies of orders be sent to the Court of Additional District Judge, Patiala as well as to the Court of District Judge, Karnal for information and necessary compliance.

(H.S. MADAAN)
JUDGE

December 14, 2018

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No