

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

TA No. 818 of 2018(O&M)

Date of decision:30.10.2018

Jasbir Kaur

.. Petitioner

vs.

Darshan Singh

.. Respondent

Coram: Hon'ble Mr. Justice Harinder Singh Sidhu

Present:- Mr. Arun Sharma, Advocate
for the petitioner.

Mr. Sandeep Wadhawan, Advocate
for the respondent.

Harinder Singh Sidhu, J.

The petitioner-wife has filed the present petition under Section 24 of the Code of Civil Procedure for transfer of petition under Section 13 of the Hindu Marriage Act, 1955 filed by the respondent from the Court of learned District Judge, Patiala to a Court of competent jurisdiction at Yamuna Nagar.

The marriage between the petitioner and the respondent was solemnized on 23.09.2009 at village Rattauli, near Jagadhri, District Yamuna Nagar. It is the second marriage of both the parties. There is no child from this marriage.

It is the case of the petitioner that soon after the marriage, she was thrown out of her matrimonial home and since then she is living with her parents at village Rattauli, District Yamuna Nagar. The respondent has filed the petition under Section 13 of the Hindu Marriage Act, 1955 at Patiala, which is at a distance of 115 KMs from the place of residence of the petitioner. It is very difficult for the petitioner to attend the Court proceedings at Patiala. The petitioner has no source of income and is wholly dependent upon her parents.

Learned counsel for the respondent, on the other hand, states that earlier efforts were made for reconciliation but the same did not succeed.

Considering the facts and circumstances of the case, the transfer application is allowed. The petition under Section 13 of the Hindu Marriage Act, 1955, filed by the respondent, titled as 'Darshan Singh vs. Jasbir Kaur' which is pending before the District Judge, Patiala is withdrawn from the said Court and transferred to Yamuna Nagar. The District Judge Yamuna Nagar may assign it to any competent Court.

30.10.2018
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(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned

Yes

Whether Reportable:

Yes/No