

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

Sr. No.248

**TA No.175 of 2019 (O&M)
DECIDED ON: October 30, 2019**

JASVIR KAUR

..APPLICANT

VERSUS

GURSEWAK SINGH

...RESPONDENT

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

Present: Mr. Amardeep Singh Mann, Advocate, for the applicant.

None for the respondent.

H.S. MADAAN, J. (ORAL)

Applicant Jasvir Kaur, aged about 24 years, estranged wife of Gursewak Singh-respondent, presently residing with her parents at Village Ralla, District Mansa on account of matrimonial discord between the spouses, by way of filing the instant application seeks transfer of petition under Section 13 of the Hindu Marriage Act filed by her husband Gursewak Singh against her having title 'Gursewak Singh Vs. Jasvir Kaur' pending in the Court of District and Sessions Judge, Bathinda to the Court of competent jurisdiction at Mansa.

According to the applicant, the marriage performed between the parties on 14.01.2015 ran into rough weather on account of demand of dowry by respondent and his family members. She had to leave the matrimonial home and start residing with her parents. She is not working

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and does not have any source of income. She is taking care of minor daughter of the parties, who is aged about 4 years presently. The applicant has filed a petition under Section 125 Cr.P.C. claiming maintenance for herself and the minor daughter against the respondent, which is pending before Additional Chief Judicial Magistrate, Mansa. As a counter blast, the respondent has filed a petition under Section 13 of the Hindu Marriage Act against the applicant, which is pending in the Court of District and Sessions Judge, Bathinda. Under the circumstances, it is difficult for her to travel from Mansa to Bathinda to attend the dates of hearing in the Court there. Therefore, the application be accepted.

Notice of the application was given to the respondent, who was duly served. Mr. J.S. Moudgill, Advocate had appeared on his behalf on 22.07.2019. Thereafter, on 06.09.2019 none had appeared on behalf of the respondent and today also, there is no representation on his behalf.

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 is ordered to be withdrawn from the Court of District & Sessions Judge, Bathinda and transferred to the Court of District Judge, Mansa, for disposal in accordance with law. Learned District Judge, Mansa may retain the petition on his board or assign it to any other Court of competent jurisdiction.

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Parties through counsel are directed to appear in the transferee Court on 29.11.2019.

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

October 30, 2019
Ankur

(H.S. MADAN)
JUDGE

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