

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

TA-223-2019 (O&M)

Date of decision: 05.07.2019

Sarbjeet Kaur @ Sarabjit Kaur

...Applicant

Versus

Kulwinder Singh

...Respondent

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

Present: Mr. PKS Phoolka, Advocate for the applicant.

None of the respondent.

H.S. MADAAN, J. (Oral)

Applicant Sarbjeet Kaur @ Sarabjit Kaur, aged about 45 years, estranged wife of respondent Kulwinder Singh, presently residing with her parents at Patiala, on account of matrimonial discord between the spouses, by way of moving the present application, seeks transfer of petition under Section 9 of the Hindu Marriage Act filed by her husband, the respondent against her having title 'Kulwinder Singh Vs. Sarbjit Kaur' pending in the Court of District Judge, Family Court, Faridkot to the Court of competent jurisdiction at Patiala.

According to the applicant, she is not employed anywhere and is not having any source of income. Her old aged parents are suffering from various ailments and are bed ridden; that she has filed a divorce petition against the respondent in Court at Patiala and to pressurize her, the respondent has filed the petition in question; that the applicant being a young woman, with no adult male member in the family

being there to accompany her, it is difficult for her to travel from Patiala to Faridkot to attend the dates of hearing in the Court there, covering a distance of about 180 kms on one side. Therefore, the present application be accepted.

Notice of the application was given to the respondent who was duly served but did not put in appearance.

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, in which I find merit, in absence of any strong circumstance to the contrary, it would be proper and appropriate, if the application is accepted. The same is accordingly allowed. The petition in question is ordered to be withdrawn from the Court of District Judge, Family Court, Faridkot and transferred to Family Court at Patiala for disposal in accordance with law.

The parties are directed to appear in the transferee Court on 06.08.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

05.07.2019

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**(H.S. MADAAN)
JUDGE**

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