

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

T.A. No. 276 of 2019

DATE OF DECISION :- August 14, 2019

Amandeep Kaur

...Applicant

Versus

Zadwinder Singh and another

...Respondents

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

Present:- None for the applicant.

None for the respondents.

By way of filing the present application, applicant Amandeep Kaur, aged about 31 years, estranged wife of Jagdeep Singh-respondent seeks transfer of petition under Section 11 of the Hindu Marriage Act, 1955 filed by her husband Jagdeep Singh against her having title 'Jagdeep Singh Vs. Amandeep Kaur' pending in the Court of District Judge, Sangrur to the Court of competent jurisdiction at Mansa.

According to the applicant, she got married with the respondent on 10.12.2017 against the wishes of her parents. Subsequently her parents solemnized her marriage with respondent No. 1 Zadwinder Singh on 5.2.2018 forcibly. The applicant has filed a petition under Section 11 of the Hindu Marriage Act for declaring the second marriage as null and void which is pending in the Court at Mansa. Respondent No. 1 Zadwinder Singh in order to harass and trouble the applicant has filed another petition under Section 11 of the Hindu Marriage Act against the present applicant in the Court of District Judge, Sangrur despite the fact that a similar petition was filed by the applicant earlier has been pending before

District Judge, Mansa. It is further contended that since both the petitions have been filed on the same ground, therefore, it would be just and appropriate if both the petitions are adjudicated by one Court and as a matter of fact the petition filed by respondent No. 1 against the present applicant is likely to be stayed under Section 10 C.P.C.

Notice of the application was given to the respondents, who as per office report were duly served but did not turn up to offer a contest.

Keeping in view the contentions in the application, 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 The petition in question is ordered to be withdrawn from the Court of District Judge, Sangrur and transferred to the Court of District Judge, Mansa for disposal in accordance with law.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.

The parties are directed to appear in the transferee Court on 17.9.2019. Copies of orders be sent to the Court of District Judge, Sangrur as well as to the Court of District Judge, Mansa for information and necessary compliance.

(H.S. MADAAN)
JUDGE

August 14, 2019
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No