

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

TA-296-2019 (O&M)

Date of decision: 22.10.2019

Kiranjit Kaur

...Applicant

Versus

Narinder Singh

...Respondent

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

Present: Mr. M.S. Yadav, Advocate for
Mr. S.K. Singla, Advocate for the applicant.

H.S. MADAAN, J. (Oral)

Applicant Kiranjit Kaur, estranged wife of respondent Narinder Singh, presently residing with her parents at Village Larroi, District Patiala, on account of matrimonial discord between the spouses, by way of filing 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 'Narinder Singh Vs. Kiranjit Kaur' pending in the Court of Addl. Civil Judge (Jr. Divn.), Sangrur to the Court of competent jurisdiction at Patiala.

According to the applicant, the marriage solemnized between the spouses on 15.01.2003 did not work, though, the couple was blessed with a daughter, namely, Baby Harnoor Gill, in the year 2005. On 22.12.2016, the applicant along with minor daughter were turned out of matrimonial home and since then, they are residing with parents of the applicant. The applicant has filed a petition under Section 125 Cr.P.C.

against the respondent in Court at Patiala. The respondent has filed the petition in question against the applicant just to harass her. The applicant being a young woman, having no source of income, it is difficult for her to travel from her parental place to Sangrur, to attend the dates of hearing in the Court there, covering a distance of about 60 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 to offer a contest.

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 The petition in question is ordered to be withdrawn from the Court of Addl. Civil Judge (Jr. Divn.), Sangrur and transferred to Family Court at Patiala for disposal in accordance with law.

The parties are directed to appear in the transferee Court on 22.11.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

22.10.2019

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No