

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

T.A. No. 328 of 2019

DATE OF DECISION :- October 01, 2019

Charanjeet Kaur

...Applicant

Versus

Gurinder Singh

...Respondent

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

Present:- Mr. Jagjit Gill, Advocate for the applicant.

Applicant Charanjeet Kaur, aged about 32 years, estranged wife of Gurinder Singh-respondent, presently residing with her parents at Village Mallekan, Tehsil and District Sirsa on account of matrimonial discord between the spouses, by way of filing the instant application seeks transfer of petition under Section 9 of the Hindu Marriage Act filed by her husband-respondent Gurinder Singh against her having title 'Gurinder Singh @ Gurwinder Singh Vs. Charanjeet Kaur' pending in the Court of Additional Civil Judge (Sr. Divn.), Malout to the Court of competent jurisdiction at Sirsa.

According to the applicant, she is a poor woman having no source of income. She has filed a petition under Section 125 Cr.PC. against the respondent in the Court at Sirsa. To harass and cause inconvenience to her, the respondent has filed a petition under Section 9 of the Hindu

Marriage Act against her in the Court at Malout. On account of her financial constraints and the fact that Malout is located at a distance of 100 kms from her parental place, it is difficult for her to attend the dates of hearing in Court there, therefore, the application be accepted.

Notice of the application was given to the respondent, who was duly served but he has not turned up 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 The petition in question is ordered to be withdrawn from the Court of Additional Civil Judge (Sr. Divn.), Malout and transferred to Family Court at Sirsa for disposal in accordance with law.

The parties are directed to appear in the transferee Court on 29.10.2019. Copies of orders be sent to the Court of Additional Civil Judge (Sr. Divn.), Malout as well as to the Family Court at Sirsa for information and necessary compliance.

(H.S. MADAAN)
JUDGE

October 01, 2019

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No