

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

T.A. No. 344 of 2019

DATE OF DECISION :- October 29, 2019

Amardeep Kaur

...Applicant

Versus

Lakhwinder Singh

...Respondent

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

Present:- Mr. Amit Arora, Advocate for the applicant.

Applicant Amardeep Kaur, aged about 26 years, wife of Lakhwinder Singh-respondent, presently residing with her widowed mother at Village Khawaspur, Tehsil Khadoor Sahib, Tarn Taran, 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 Lakhwinder Singh against her having title 'Lakhwinder Singh vs. Amardeep Kaur' pending in the Court of Principal Judge, Family Court, Baba Bakala, District Amritsar to the Court of competent jurisdiction at Tarn Taran.

As per version of the applicant, after her marriage with the respondent she was harassed and maltreated by the respondent on account of demand of more dowry. Circumstances were so created by the respondent that she was forced to leave the matrimonial home and start residing with her mother at Village Khawaspur, Tehsil Khadoor Sahib, Tarn Taran. The applicant has filed a divorce petition against the respondent in the Court at Tarn Taran. As a counter blast the respondent has filed the petition under Section 9 of the Hindu Marriage Act against her in Family Court at Baba Bakala. The applicant does not have any source of income. It is difficult for her to go from her parental place to Baba

Bakala 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 but had not turned up.

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 The petition in question is ordered to be withdrawn from the Court of Principal Judge, Family Court, Baba Bakala, District Amritsar and transferred to the Court of District Judge, Tarn Taran for disposal in accordance with law. Learned District Judge, Tarn Taran may retain the petition on his board or assign it to any other Court of competent jurisdiction.

The parties through their counsel are directed to appear in the transferee Court on 28.11.2019. Copies of orders be sent to the Court of Principal Judge, Family Court, Baba Bakala, District Amritsar as well as to the Court of District Judge, Tarn Taran for information and necessary compliance.

(H.S. MADAAN)
JUDGE

October 29, 2019
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No