

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

T.A. No. 587 of 2019

DATE OF DECISION :- November 06, 2019

Kuldeep Kaur @ Karamjit Kaur

...Applicant

Versus

Jaskaran Singh

...Respondent

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

Present:- Mr. Sukhmeet Singh, Advocate for the applicant.

Applicant Kuldeep Kaur @ Karamjit Kaur, aged about 22 years, wife of Jaskaran Singh-respondent, presently residing with her parents at Kotkapura, District Faridkot, 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 Jaskaran Singh against her having title Jaskaran Singh Vs. Karamjeet Kaur' pending in the Court of Additional Civil Judge (Sr. Divn.), Jalalabad to the Court of competent jurisdiction at Faridkot.

According to the applicant, the marriage performed between the parties on 14.2.2014 ran into rough weather. Though the couple was blessed with a female child namely Noor Deep Kaur, aged about 2½ years at the time of filing of the application; that the applicant was harassed and maltreated and turned out of the matrimonial home in the year 2016. She is putting up with her parents along with minor daughter of the parties. She

has filed a petition under Section 125 Cr.P.C. against the respondent before District Judge, Family Court, Faridkot. As a counter blast, the respondent has filed petition under Section 9 of the Hindu Marriage Act against the applicant in the Court at Jalalabad. It is difficult for her to travel from her parental place to Jalalabad, therefore, the application be accepted.

Notice of the application was given to the respondent, who as per office report has been 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 The petition in question is ordered to be withdrawn from the Court of Additional Civil Judge (Sr.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.), Jalalabad and transferred to Family Court at Faridkot for disposal in accordance with law.

The parties through their counsel are directed to appear in the transferee Court on 5.12.2019. Copies of orders be sent to the Court of Additional Civil Judge (Sr. Divn.), Jalalabad as well as to the Family Court at Faridkot for information and necessary compliance.

(H.S. MADAAN)
JUDGE

November 06, 2019
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/Nos