

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

T.A. No. 1003 of 2018

DATE OF DECISION :- January 08, 2019

Rupinder Kaur

...Applicant

Versus

Jarnail Singh

...Respondent

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

Present:- Mr. Harmanjit Singh Jugait, Advocate for the applicant.

Applicant Rupinder Kaur, aged about 35 years has approached this Court by way of filing the instant application seeking transfer of divorce petition filed by her husband Jarnail Singh-respondent in the application against her having title 'Jarnail Singh Vs. Rupinder Kaur' pending in the Court of District Judge, Sangrur to the Court of District Judge, S.A.S. Nagar, Mohali.

According to the applicant, she was married with the respondent on 10.2.2008. Thereafter, both the spouses started residing together. She gave birth to a male child namely Khushpreet Singh from loins of respondent on 23.1.2009. The child is stated to be handicapped. It is contended that on account of cruel treatment of the respondent, the applicant along with the minor son had to leave the matrimonial home and start residing with the parents of the applicant at Village Jhande Majra, Tehsil Kurali, District S.A.S. Nagar. The respondent has filed a divorce petition against the applicant in the Court at Sangrur. On account of financial constraints and for the reason of looking after minor son of the parties, it is difficult for the applicant to travel a distance of about 150 kms from S.A.S. Nagar, Mohali to Sangrur to attend the

dates of hearing in the Court at Sangrur, therefore, the application be accepted.

Notice of the application was given to the respondent, who as per office report has been duly served but 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 the submissions made by learned counsel for the applicant, 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 The petition in question is ordered to be withdrawn from the Court of District Judge, Sangrur and transferred to Family Court S.A.S. Nagar, Mohali for disposal in accordance with law. The Family Court S.A.S. Nagar, Mohali 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 5.2.2019. Copies of orders be sent to the Court of District Judge, Sangrur as well as to the Family Court, S.A.S. Nagar, Mohali for information and necessary compliance.

(H.S. MADAAN)
JUDGE

January 08, 2019

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No