

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

T.A. No. 1035 of 2018

DATE OF DECISION :- February 20, 2019

Ramanpreet Kaur

...Applicant

Versus

Navjot Singh

...Respondent

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

Present:- Mr. Surinder Sharma, Advocate for the applicant.

Mr. Pankaj Kundra, Advocate for the respondent.

Applicant Ramanpreet Kaur, aged about 23 years, wife of Navjot Singh -respondent, presently residing with her parents at Jalandhar, by way of filing the instant application seeks transfer of petition under Section 9 of the Hindu Marriage Act filed by her husband Navjot Singh against her, having title 'Navjot Singh Vs. Ramanpreet Kaur' pending in the Court of Additional Civil Judge (Sr. Divn.), Sultanpur Lodhi to the Court of competent jurisdiction at Jalandhar.

According to the applicant, the marriage between the parties performed on 14.10.2017 ran into rough weather on account of the fact that respondent is a drug addict and is involved in several criminal cases, details of which have been given in the application. The applicant was maltreated by the respondent and his family members. Resultantly, she was forced to leave the matrimonial home and start residing with her parents at Jalandhar. She has filed a divorce petition against the respondent which is pending in the Court at Jalandhar. As a counter blast, the respondent has filed petition under Section 9

of the Hindu Marriage Act in the Court at Kapurthala. The applicant, being a young woman, having no source of income, it is difficult for her to travel from Jalandhar to Kapurthala to attend the dates of hearing there, therefore, the application be accepted.

Notice of the application was given to the respondent, who has put in appearance through counsel and application is being opposed vehemently contending that the distance between the two places is not much and can easily be covered by road.

I have heard learned counsel for the parties 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 The petition in question is ordered to be withdrawn from the Court of Additional Civil Judge (Sr.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.), Sultanpur Lodhi and transferred to Family Court at Jalandhar for disposal in accordance with law.

The parties through their counsel are directed to appear in the transferee Court on 18.3.2019. Copies of orders be sent to the Court of Additional Civil Judge (Sr. Divn.), Sultanpur Lodhi as well as to the Family Court at Jalandhar for information and necessary compliance.

(H.S. MADAAN)
JUDGE

February 20, 2019

p.singh

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No