

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

T.A. No. 1123 of 2018

DATE OF DECISION :- January 31, 2019

Mandeep Kaur

...Applicant

Versus

Jatinder Singh

...Respondent

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

Present:- Mr. Mandeep Kumar Dhot, Advocate for the applicant.

Applicant Mandeep Kaur, aged about 28 years, wife of Jatinder Singh-respondent, presently residing with her parents at Village Chhajali, P.S. Chhajali, Tehsil Sunam, District Sangrur is seeking transfer of petition under Section 9 of the Hindu Marriage Act filed by her husband Jatinder Singh against her having title 'Jatinder Singh Vs. Mandeep Kaur' pending in the Court of Additional Civil Judge (Senior Division)-2, Patiala to the Court of competent jurisdiction at Sangrur.

According to the applicant, after her marriage with the respondent on 13.12.2015, the spouses started residing together. She gave birth to a male child namely Gurfateh Singh from loins of respondent. Unfortunately, differences arose between the spouses, resultantly applicant had to leave the matrimonial home along with minor son, presently aged about 2 years. She is residing with her parents along with minor son of the parties. She does not have any source of income. She is required to take care of minor son of the parties. It is difficult for her to travel from her parental

village in District Sangrur to Patiala covering a distance of about 075 kms on one side, 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 opted to appear and 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 The petition in question is ordered to be withdrawn from the Court of Additional Civil Judge (Senior Division)-2, Patiala and transferred to the Court of District Judge, Sangrur for disposal in accordance with law. Learned District Judge, Sangrur 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 6.3.2019. Copies of orders be sent to the Court of Additional Civil Judge (Senior Division)-2, Patiala as well as to the Court of District Judge, Sangrur for information and necessary compliance.

(H.S. MADAAN)
JUDGE

January 31, 2019

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No