

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

T.A. No. 166 of 2018

DATE OF DECISION :- February 22, 2019

Daljeet Kaur

...Applicant

Versus

Amarinder Singh alias Aminder Singh

...Respondent

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

Present:- Mr. M.S. Bhullar, Advocate for the applicant.

Applicant Daljeet Kaur, aged about 31 years, wife of Amarinder Singh alias Aminder Singh-respondent, presently residing with her parents at Village Kot Sadar Khan, Tehsil Dharamkot, District Moga on account of matrimonial discord between the spouses by way of filing the instant application seeks transfer of petition under Section 13 of the Hindu Marriage Act filed by her husband Amarinder Singh alias Aminder Singh against her having title 'Amarinder Singh alias Aminder Singh Vs. Daljeet Kaur' pending in the Court of Additional Sessions Judge, Patiala to the Court of competent jurisdiction at Moga.

According to the applicant, the marriage which was performed between the parties on 1.2.2012 ran into rough weather. The couple was not blessed with any child. The applicant was forced to leave the matrimonial home. She had no other place to go except house of her parents where she is putting up presently. The respondent has filed the divorce petition in question as a pressure tactic. The applicant being a poor woman, having no source of income, dependent upon her old aged parents, who are suffering from various

ailments, it is difficult for her to travel from her parental place to Patiala 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 ordered to be served through his counsel in the trial Court but such counsel refused to accept notice.

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 The petition in question is ordered to be withdrawn from the Court of Additional Sessions Judge, Patiala and transferred to Family Court at Moga for disposal in accordance with law.

The parties through their counsel are directed to appear in the transferee Court on 25.3.2019. Copies of orders be sent to the Court of Additional Sessions Judge, Patiala as well as to the Family Court at Moga for information and necessary compliance.

(H.S. MADAAN)
JUDGE

February 22, 2019
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No