

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

T.A. No. 214 of 2018

DATE OF DECISION :- October 03, 2019

Gurwinder Kaur

...Applicant

Versus

Sundeeep Singh

...Respondent

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

Present:- Ms. Gurwinder Kaur-applicant in person.

Applicant Gurwinder Kaur, aged about 37 years, estranged wife of Sundeeep Singh-respondent, presently residing with her parents at Chandigarh, on account of matrimonial discord between the spouses, by way of filing the instant application seeks transfer of petition under Section 13 (i) (i-a) (i-b) of the Hindu Marriage Act filed by her husband Sundeeep Singh against her having title 'Sundeeep Singh Vs. Gurwinder Kaur' pending in the Court of District Judge, Family Court, Gurugram to the Court of competent jurisdiction at Chandigarh.

According to the applicant, the marriage solemnized between the parties on 10.10.2009 at Chandigarh ran into rough weather though the couple was blessed with a son namely Master Ekamjot Singh born on 12.6.2012. On account of harassment and maltreatment meted out to the applicant, she along with her minor son left the matrimonial home on 6.9.2017 and is residing with her parental family. The respondent is though working in a private company at Gurugram but he has got a house at Chandigarh. He has filed the divorce petition against her on false allegations just to harass and cause inconvenience to her. It is difficult for her

to travel from Chandigarh to Gurugram to attend the dates of hearing in the Court there, therefore, the application be accepted.

Notice of application was given to the respondent, who was duly served and had put in appearance through counsel.

The matter was referred to the Mediation and Conciliation Centre of this Court, however, the dispute could not be settled there. Subsequently there has not been any representation on behalf of the respondent on several dates of hearing.

I have heard the applicant besides going through the record.

Keeping in view the contentions in the application and submissions made by 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 The petition in question is ordered to be withdrawn from the Court of District Judge, Family Court, Gurugram and transferred to the Court of District Judge, Chandigarh for disposal in accordance with law. Learned District Judge, Chandigarh may retain the petition on his board or assign it to any other Court of competent jurisdiction.

The parties are directed to appear in the transferee Court on 29.10.2019. Copies of orders be sent to the Court of District Judge, Family Court, Gurugram as well as to the Court of District Judge, Chandigarh for information and necessary compliance.

(H.S. MADAAN)
JUDGE

October 03, 2019

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No