

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

T.A. No. 352 of 2018

DATE OF DECISION :- February 22, 2019

Amandeep Kaur

...Applicant

Versus

Talwinder Singh

...Respondent

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

Present:- Mr. Harkirat Sandhu, Advocate for the applicant.

Mr. Yashpal Thakur, Advocate for the respondent.

By way of filing the present application, applicant Amandeep Kaur, aged about 33 years, estranged wife of Talwinder Singh-respondent seeks transfer of petition under Section 13 of the Hindu Marriage Act, 1955 filed by her husband Talwinder Singh against her having title 'Talwinder Singh Vs. Amandeep Kaur' pending in the Court of District Judge, Fatehgarh Sahib to the Court of competent jurisdiction at Rupnagar.

Interalia in the application it is contended that the marriage between the parties was performed on 3.4.2016. Thereafter they started residing together. The couple was not blessed with any child. The marriage did not work and the applicant had to leave the matrimonial home and start residing with her parents at Village Bheora, Tehsil and District Rupnagar. Her husband has filed the divorce petition against her as a pressure tactic. She being a young woman, having no source of income, it is difficult for her to travel from her parental place to Fatehgarh Sahib covering a distance of about 50 kms on one side. Further more four cases between the parties are

pending in the Courts at Rupnagar. Details of such cases have been given in para no. 5 of the application. The applicant prays for acceptance of the application.

Notice of the application was given to the respondent, who put in appearance through counsel and filed written reply contesting the application contending that the applicant is serving as a teacher in a private School at Patiala and she can easily travel from Patiala to Fatehgarh Sahib covering a distance of around 40 kms and the two places are well connected by road, therefore, the application be dismissed.

Learned counsel for the applicant has submitted that though the applicant was working as a School teacher at Patiala but now she has left the job on account of litigation between the parties and she is putting up with her parents at Village Bheora, Tehsil and District Rupnagar.

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 District Judge, Fatehgarh Sahib and transferred to the Court of District Judge, Rupnagar for disposal in accordance with law. Learned District Judge, Rupnagar 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 26.3.2019. Copies of orders be sent to the Court of District Judge, Fatehgarh Sahib as well as to the Court of District Judge, Rupnagar for information and necessary compliance.

(H.S. MADAAN)
JUDGE

February 22, 2019
p.singh

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No