

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

T.A. No. 391 of 2018

DATE OF DECISION :- February 06, 2019

Amanjot Kaur

...Applicant

Versus

Ranjit Singh

...Respondent

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

Present:- Mr. Rishav Jain, Advocate for the applicant.

By way of filing the present application, applicant Amanjot Kaur, aged about 24 years, wife of Ranjit Singh-respondent, presently residing with her parents at Village Roshanwala, Tehsil Bhawanigarh, District Sangrur seeks transfer of petition under Section 9 of the Hindu Marriage Act, 1955 filed by her husband Ranjit Singh against her having title 'Ranjeet Singh Vs. Amanjot Kaur' pending in the Court of Additional Civil Judge (Sr. Division), Patiala to the Court of competent jurisdiction at Sangrur.

Interalia in the application it is contended that the marriage between the parties was performed on 22.1.2017. Thereafter they started residing together. The marriage was not consummated on account of impotency of respondent-husband. Even then respondent and his family members treated the applicant with cruelty in connection with demand of

more dowry. The applicant had to leave the matrimonial home and start residing with her parents. She has lodged an F.I.R. for offences under Sections 498A and 506 IPC against the respondent and his family members with Police Station Sadar Sangrur. She has also filed a petition under Section 12 of the Hindu Marriage Act for annulment of marriage, which is also pending in the Court at Sangrur. As a pressure tactic the respondent has filed petition in question against her. The applicant having no source of income, it is difficult for her to travel from her parental place to Patiala covering a distance of about 65 kms on one side so as to attend the dates of hearing there. Moreover, two cases between the parties are pending before the Court at Sangrur, as such the application be accepted.

Notice of the application was given to the respondent, who was duly served but did not opt 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 The petition in question is ordered to be withdrawn from the Court of Additional Civil Judge (Sr. Division), 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 8.3.2019. Copies of orders be sent to the Court of Additional Civil Judge (Sr. Division), Patiala as well as to the Court of District Judge, Sangrur for information and necessary compliance.

(H.S. MADAAN)
JUDGE

February 06 2019
p.singh

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