

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

TA No. 441 of 2018 (O&M)

Date of decision : 6.2.2019

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Manpreet Kaur

.....Applicant

vs.

Gurjant Singh

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. T.P.S. Makkar, Advocate for the applicant.

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H. S. Madaan, J. (Oral)

As per the office report, counsel representing respondent in the trial Court has not accepted service, rather made an endorsement that summons be directly sent to the party.

Under the circumstances, I find that there is no necessity of issuing any further notice to the respondent.

Applicant – Manpreet Kaur, aged about 29 years, estranged wife of Gurjant Singh-respondent, presently residing at Ludhiana, by way of filing the present application, is seeking transfer of petition under Section 9 of the Hindu Marriage Act, 1955, filed by her husband against her, having title 'Gurjant Singh vs. Manpreet Kaur'

pending in the Court of District Judge, Rupnagar, to a Court of competent jurisdiction at Ludhiana.

According to her, she was married with respondent in the year 2009. Thereafter the spouses started residing together. The respondent and his family members treated the applicant with cruelty in connection with demand of dowry and ultimately she was forced to leave the matrimonial home. The couple was not blessed with any child. The applicant is presently residing with her parents, who are of old age and do not keep good health. Younger sister of the applicant is a teenager, un-married and a diabetic. The applicant does not have any source of income and it is difficult for her to travel from Ludhiana to Rupnagar, for attending the dates of hearing there, covering a distance of 75 kms on one side, as such the application be accepted.

Notice of the application was given to the respondent, who has not appeared to offer the 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, I find that ends of justice demand that the application be allowed.

Accordingly, the application is accepted. The petition in question pending in the court of District Judge, Rupnagar, is withdrawn from that Court and transferred to the Court of District Judge, Family Court, Ludhiana, for disposal in accordance with law.

Parties through counsel are directed to appear there on 8.3.2019.

A copy of the order be sent to the Courts concerned, for information and necessary compliance.

6.2.2019
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(H.S. Madaan)
Judge

Whether speaking / reasoned	Yes / No
Whether reportable	Yes / No