

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

T.A. No. 583 of 2018

DATE OF DECISION :- February 27, 2019

Rajinder Kaur

...Applicant

Versus

Gagandeep Singh

...Respondent

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

Present:- Ms. Suman Preet Aulakh, Advocate for the applicant.

Applicant Rajinder Kaur, aged about 38 years, estranged wife of Gagandeep Singh-respondent, presently residing with her parents at S.A.S. Nagar, Mohali 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 Gagandeep Singh against her having title 'Gagandeep Singh Vs. Rajinder Kaur' pending in the Court of District Judge, Jalandhar to the Court of competent jurisdiction at S.A.S. Nagar Mohali.

According to the applicant, the marriage performed between the parties on 2.1.2006 at Banga District Nawanshahar ran into rough weather. The applicant gave birth to a son from the loins of respondent who was aged about 12 years at the time of filing of the application. The applicant along with minor child had to leave the matrimonial home and start residing with her parents at Mohali. She had filed a petition for maintenance where maintenance had been granted to her and the minor child but respondent has not paid the same. He has filed divorce petition against her as a pressure

tactic. She being a young woman, taking care of minor son of the parties, having financial constraints, it is difficult for her to travel from Mohali to Jalandhar covering a distance of about 150 kms on one side, therefore, the application be accepted.

Notice of the application was given to the respondent, who as per office report has been duly served but he has not turned up to 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 The petition in question is ordered to be withdrawn from the Court of District Judge, Jalandhar and transferred to the Court of District Judge, S.A.S. Nagar, Mohali for disposal in accordance with law. Learned District Judge, S.A.S. Nagar, Mohali 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, Jalandhar as well as to the Court of District Judge, S.A.S. Nagar, Mohali for information and necessary compliance.

(H.S. MADAAN)
JUDGE

February 27, 2019
p.singh

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No