

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

T.A. No. 702 of 2018

DATE OF DECISION :- January 16, 2019

Mandeep Kaur

...Applicant

Versus

Varinder Singh

...Respondent

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

Present:- Mr. Arastu Chopra, Advocate for the applicant.

Ms. Radhika, Advocate
for Mr. Bhupinder Singh Sudan, Advocate for the respondent.

Applicant Mandeep Kaur, aged about 32 years estranged wife of Varinder Singh-respondent, presently putting up with her parents at Patiala by way of filing the instant application seeks transfer of petition under Section 13 (A) of the Hindu Marriage Act, 1955 filed by her husband Varinder Singh against her having title 'Varinder Singh Vs. Mandeep Kaur' pending in the Court of Additional District Judge, Ambala to the Court of competent jurisdiction at Patiala.

According to the applicant, the marriage between the spouses could not work and she had to leave the matrimonial home and start residing with her parents at Patiala. She is taking care of infant child of the parties. She has filed a petition for maintenance against respondent which is pending in the Court at Patiala where the respondent has put in appearance. It is difficult for her to travel from Patiala to Ambala covering a distance of about 70 kms on

one side to attend the dates of hearing, therefore, the application be accepted.

Notice of the application was given to the respondent, who has put in appearance through counsel vehemently opposing the application.

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 The petition in question is ordered to be withdrawn from the Court of Additional District Judge, Ambala and transferred to Family Court at Patiala for disposal in accordance with law.

The parties through their counsel are directed to appear in the transferee Court on 14.2.2019. Copies of orders be sent to the Court of Additional District Judge, Ambala as well as to the Family Court at Patiala for information and necessary compliance.

(H.S. MADAAN)
JUDGE

January 16, 2019
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No