

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

T.A. No. 833 of 2018

DATE OF DECISION :- February 11, 2019

Harpreet Kaur

...Applicant

Versus

Jasmer Singh

...Respondent

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

Present:- Mr. Harjinder Singh, Advocate
for Mr. Avtar S. Khinda, Advocate for the applicant.

This application for transfer of petition under Section 9 of the Hindu Marriage Act, 1955 titled 'Jasmer Singh Vs. Harpreet Kaur', pending in the Court of Civil Judge (Sr. Divn.), Khadur Sahib to the Court of competent jurisdiction at Kapurthala has been filed by applicant Harpreet Kaur, aged about 24 years, wife of Jasmer Singh-respondent contending that on account of differences with her husband-respondent, he had to leave the matrimonial home and start residing with her parents at Kapurthala. Her husband has filed a petition under Section 9 of the Hindu Marriage Act, which is pending in the Court at Khadur Sahib.

According to the applicant she is a young woman, having no source of income, it is difficult for her to travel from her parental place to Khadur Sahib covering a distance of about 50 kms so as to attend the dates of hearing there. She has filed a petition for maintenance in the Court at

Kapurthala, as such the application be accepted.

Notice of the application was given to the respondent, who as per office report has been duly served but has not opted 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 The petition in question is ordered to be withdrawn from the Court of Civil Judge (Sr. Divn.), Khadur Sahib and transferred to the Court of District Judge, Kapurthala for disposal in accordance with law. Learned District Judge, Kapurthala 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 12.3.2019. Copies of orders be sent to the Court of Civil Judge (Sr. Divn.), Khadur Sahib as well as to the Court of District Judge, Kapurthala for information and necessary compliance.

(H.S. MADAAN)
JUDGE

February 11, 2019
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No