

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

**T.A.-993-2018
Date of decision:-7.1.2019**

Amanjeet Kaur

...Applicant

Versus

Gurjot Singh

...Respondent

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

Present : Mr.Mandeep Kaushik, Advocate for
Mr.Deshpreet Singh, Advocate
for the applicant.

H.S. MADAAN, J.(ORAL)

By way of filing the present petition, the applicant – Amanjeet Kaur, who is respondent in the petition under Section 9 of the Hindu Marriage Act titled 'Gurjot Singh Versus Amanjeet Kaur' pending in the Court of Civil Judge(Jr.Divn.), Ludhiana seeks transfer of that petition to any other Court of competent jurisdiction at Abohar, District Fazilka.

Inter alia, it is contended that after the applicant got married with respondent and started residing with him, a matrimonial

dispute arose between the spouses on account of cruel attitude of her husband - the respondent and she had to leave the matrimonial home; that she has filed a complaint under Sections 406, 498-A IPC against the respondent and his family members, which is pending in the Court of Sub-Divisional Judicial Magistrate, Abohar; that she has also moved an application under Section 12 of the Domestic Violence Act, that too is pending before Sub-Divisional Judicial Magistrate, Abohar; that as a pressure tactic, her husband had filed a petition under Section 9 of the Hindu Marriage Act against her in the Court at Ludhiana. Since she is residing with her parents at Abohar taking care of minor child of the parties, it is difficult for her to travel from Abohar to Ludhiana to attend the dates of hearing more particularly when she does not have any source of income. Therefore, the application be accepted.

Notice of the application was given to respondent, who was duly served but did not put in appearance.

I have heard learned counsel for the applicant besides going through the record.

Keeping in view the contentions in the application and prayer in that regard made by learned counsel for the applicant, I find that the application deserves to be accepted.

Therefore, the application stands allowed and the petition under Section 9 of Hindu Marriage Act pending in the Court of Civil Judge(Jr.Divn.), Ludhiana is ordered to be transferred to the Court of Additional Civil Judge (Sr.Divn.), Abohar. The parties are directed to appear before Additional Civil Judge (Sr.Divn.), Abohar on 4.2.2019.

Copy of this order be sent to District & Sessions Judge,

Ludhiana as well as Additional Civil Judge (Sr.Divn.), Abohar for information and necessary compliance.

7.1.2019
Brij

(H.S.MADAAN)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No