

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

T.A. No. 2961 of 2018

DATE OF DECISION :- February 22, 2019

Ramandeep Kaur

...Applicant

Versus

Jagjit Singh

...Respondent

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

Present:- Mr. L.S. Sidhu, Advocate for the applicant.

Applicant Ramandeep Kaur, aged about 24 years, wife of Jagjit Singh-respondent, presently residing with her parents at Village Dholewal, Tehsil Dharamkot, District Moga on account of matrimonial discord between the spouses by way of filing the instant application seeks transfer of petition under Section 12 read with Section 13 of the Hindu Marriage Act filed by her husband Jagjit Singh against her having title 'Jagjit Singh Vs. Ramandeep Kaur' pending in the Court of Additional District and Sessions Judge, Fatehgarh Sahib to the Court of competent jurisdiction at Moga.

According to the applicant, the marriage performed between the spouses ran into rough weather and she along with minor daughter of the parties had to leave the matrimonial home and start residing with parents of the applicant at Village Dholewal, Tehsil Dharamkot, District Moga. The respondent has filed the petition in question against the applicant in the Court at Fatehgarh Sahib just to pressurize and harass the applicant. The applicant has brought a petition under Section 125 Cr.P.C. for herself and on behalf of the minor daughter against the respondent which is pending before Family

Court at Moga. The applicant being a young woman, taking care of minor daughter of the parties, having financial constraints, it is difficult for her to travel from her parental place to Fatehgarh Sahib covering a distance of 115 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 The petition in question is ordered to be withdrawn from the Court of Additional District and Sessions Judge, Fatehgarh Sahib and transferred to Family Court at Moga for disposal in accordance with law.

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 Additional District and Sessions Judge, Fatehgarh Sahib as well as to the Family Court at Moga for information and necessary compliance.

(H.S. MADAAN)
JUDGE

February 22, 2019
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No