

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

**T.A. No. 1142 of 2018**

**DATE OF DECISION :- December 02, 2019**

**Amarjit Kaur**

**...Applicant**

**Versus**

**Bishan Singh**

**...Respondent**

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

**Present:-** Mr. Sumeet Singh Deol, Advocate  
for Mr. Gaurav Partap S. Pathania, Advocate for the applicant.

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Applicant Amarjit Kaur, aged about 35 years, estranged wife of Bishan Singh-respondent, presently residing with her parents at Pathankot on account of matrimonial discord between the spouses, by way of filing the instant application seeks transfer of petition under Section 9 of the Hindu Marriage Act filed by her husband Bishan Singh against her having title 'Bishan Singh Vs. Amarjeet Kaur' pending in the Court of District Judge, Family Court, Shaheed Bhagat Singh Nagar to the Court of competent jurisdiction at Pathankot.

According to the applicant, the marriage performed between the parties on 14.4.2016 ran into rough weather on account of demand of more dowry by the respondent and his family members. She had to leave the matrimonial home and start residing with her parents in July, 2016. The applicant gave birth to a male child namely Tanveer Singh on 20.1.2017. She does not have any source of income. She is taking care of minor son of the parties. It is difficult for her to travel from Pathankot to Shaheed Bhagat

Singh Nagar covering a distance of 170 kms on one side so as to attend the dates of hearing in the Court there, 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 The petition in question is ordered to be withdrawn from the Court of District Judge, Family Court, Shaheed Bhagat Singh Nagar and transferred to Family Court at Pathankot for disposal in accordance with law.

The parties through their counsel are directed to appear in the transferee Court on 20.12.2019. Copies of orders be sent to the Court of District Judge, Family Court, Shaheed Bhagat Singh Nagar as well as to the Family Court at Pathankot for information and necessary compliance.

**(H.S. MADAAN)**  
**JUDGE**

**December 02, 2019**

*p.singh*

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No