

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

TA-1004-2018 (O&M)
Date of decision: 10.07.2019

Sukhandeep Kaur

...Applicant

Versus

Gurdev Singh

...Respondent

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

Present: Mr. G.S. Jagpal, Advocate for the applicant.

H.S. MADAAN, J. (Oral)

Applicant Sukhandeep Kaur, aged about 34 years, estranged wife of respondent Gurdev Singh, presently residing with her parents at Patiala, on account of matrimonial discord between the parties, by way of moving the present application, seeks transfer of petition under Section 9 of the Hindu Marriage Act, filed by her husband, the respondent against her having title 'Gurdev Singh Vs. Sukhandeep Kaur' pending in the Court of Civil Judge (Sr. Divn.) Bathinda, to the Court of competent jurisdiction at Patiala.

As per version of the applicant, the marriage solemnized between the spouses ran into rough weather, though, the couple was blessed with two sons, elder being Anmol Singh, aged about 13 years and younger Ajit Singh, aged about 08 years. The applicant had to leave the matrimonial home and start residing with her parents at Patiala. She does not have any source of income. She is taking care of two minor sons of the parties. All three of them are dependent upon parents of the applicant

for their financial needs; that she has filed a petition under Section 125 Cr.P.C. against the respondent in Court at Patiala. The respondent has filed the petition in question against her in Court at Bathinda as a pressure tactic. It is difficult for the applicant to travel from her parental place to Bathinda to attend the dates of hearing in the Court there, covering a distance of about 160 kms on one side. Therefore, the present application be accepted.

Notice of the application was given to the respondent who was duly served but did not appear 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 The petition in question is ordered to be withdrawn from the Court of Civil Judge (Sr.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.) Bathinda and transferred to Family Court at Patiala for disposal in accordance with law.

The parties are directed to appear in the transferee Court on 09.08.2019. Copies of orders be sent to both the Courts for information and necessary compliance.

10.07.2019
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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No