

Sr. No.213

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

**TA No.582 of 2019 (O&M)
Date of Decision: 07.02.2020**

Gurpreet Kaur

... Applicant

Versus

Gagandeep Singh

... Respondent

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. G.S.Hayer, Advocate,
for the applicant.

Mr. MJS Bedi, Advocate,
for the respondent.

ARUN MONGA, J.(ORAL)

1. Applicant-wife seeks transfer of petition filed by the respondent-husband under Section 13 of Hindu Marriage Act, 1955 titled as "Gagandeep Singh Vs. Gurpreet Kaur" pending in the Court of Learned Principal Judge, Family Court, Bathinda to the Court of competent jurisdiction at Moga.

2. Learned counsel for the applicant submits that earlier respondent had filed three petitions under Section 13 of the Hindu Marriage Act, 1955 at Moga which have been decided. Now the respondent has filed the present petition at Bathinda just to harass the applicant.

3. Learned counsel for the applicant submits that applicant-petitioner is residing at Village Chand Purana, Tehsil

Bagha Purana, District Moga with her old age parents and there is no other male member to accompany her. The distance from her Village to Bathinda is about 85 Kms. She has to change three buses to reach Bathinda. Therefore, it is very difficult for her to go to Bathinda on each date of hearing. On the other hand, respondent is hale and healthy person and can attend the Court proceedings at Moga instead of Bathinda.

5. I have heard learned counsel for the parties and have gone through the record of the case.

6. The case pending between the parties is aftermath of matrimonial discord. Keeping in view the contentions in the application and the conceded position that earlier also respondent had himself filed three cases against the applicant at Moga and attended the Court proceedings at Moga, present application is allowed. The petition in question pending before the Court of learned Principal Judge, Family Court, Bathinda is ordered to be withdrawn from that Court and is transferred to the District Judge, Moga for its disposal in accordance with law by the Court concerned.

07.02.2020

vandana

**(ARUN MONGA)
JUDGE****Whether speaking/reasoned
Whether Reportable****Yes/No
Yes/No**