

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

ASHOK KUMAR
2021.10.04 16:23
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TA-313-2021 (O&M)

Date of decision: 01.10.2021

BALJIT KAUR

..Petitioner

Versus

TEACHER SINGH

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Amit Dhawan, Advocate for the petitioner.

ANIL KSHETARPAL, J (Oral)

The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

As per the office report, notice issued to the respondent has been received back served through his counsel in the trial Court. However, he remains unrepresented.

On 06.09.2021, the following order was passed:-

“This petition has been filed by the wife seeking the transfer of the petition filed under Section 9 of the Hindu Marriage Act, 1955, bearing case no.5 of 2020, titled as “Teacher Singh vs. Baljit Kaur”, pending in the Court of Additional Principal Judge, Family Court, Hoshiarpur, to the Court of competent jurisdiction at Jalandhar.

The petitioner claims that she got married to the respondent on 06.04.2014. She claims that presently, she is residing with her parents at Jalandhar and the distance between Hoshiarpur and Jalandhar is approximately 60 Kms. The petitioner further claims that she cannot properly defend the petition at Hoshiarpur.

The learned counsel representing the petitioner places reliance on the litigation pending under Section 125 Cr.P.C. before District Courts, Jalandhar. The learned counsel contends that it will be very difficult for the petitioner to travel on each date of hearing.

Notice of motion for 01.10.2021.

The liberty is granted to the petitioner to serve the respondent through his counsel Sh. Sham Lal Handa, at District Courts, Hoshiarpur.

Dasti also.”

A reply to the petition has been filed wherein the facts noticed in

the order dated 06.09.2021 are not disputed.

As the facts noticed in the order dated 06.09.2021 remain uncontroverted, hence, the petition is allowed. The proceedings of petition filed under Section 9 of the Hindu Marriage Act, 1955, bearing case No.HMA/5/2020, (Teacher Singh vs. Baljit Kaur), pending in the Court of Additional Principal Judge, Family Court, Hoshiarpur, are ordered to be transferred to the Court of competent jurisdiction at Jalandhar. The transferor Court is requested to remit the case file to the transferee Court forthwith. The parties are directed to appear before the District Judge, Jalandhar, on 18.10.2021 who shall either decide the matter himself or assign it to the Court of competent jurisdiction at Jalandhar.

All the pending miscellaneous application(s), if any, are also disposed of.

01.10.2021

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)

JUDGE