

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

TA-302-2020 (O&M)

Date of decision: 01.09.2021

Kawaljeet Kaur

...Petitioner

Versus

Tejinder Pal Singh and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Rajesh Bansal, Advocate for the petitioner

Mr. Sushil Jain, Advocate for respondent no.1

ANIL KSHETARPAL, J (Oral)

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

Through this transfer application, Kawaljeet Kaur (wife) seeks transfer of petition filed under Guardian & Wards Act, 1890, for custody of minor son Master Ishmanjeet Singh, bearing GW CIS No.65 of 2016 titled as 'Tejinder Pal Singh vs. Smt. Kawaljeet Kaur and another' pending in the Court of Additional Principal Judge, Family Court, Karnal, to the Court of competent jurisdiction at District Panipat.

The petitioner claims that the respondent is already defending two cases at Panipat. The first is an application under Section 12 of the Protection of Women from Domestic Violence Act, 2005 whereas the second is a trial in FIR No.516 dated 17.07.2019 registered under Section 323, 325 IPC at Police Station Model Town, Panipat.

Sh. Sushil Jain, Advocate, learned counsel representing respondent no.1 has pointed out that respondent has already concluded his evidence and now, the case is fixed for petitioner's evidence. He

undertakes that his counsel would cross-examine the witness if the petitioner appears before the court on the date already fixed i.e 20.09.2021.

Keeping in view the fact that the trial of the case is already at an advanced stage and the distance between Karnal and Panipat is less than 30 kms, no ground to transfer the petition is made out.

Hence, the present petition is dismissed.

All the pending miscellaneous applications, if any, are also disposed of.

01.09.2021

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE