

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

TA-409-2021 (O&M)

Date of decision: 20.09.2021

Surjit Kaur

...Petitioner

Versus

Surinder Singh

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.C.L.Verma, Advocate for the petitioner

None for the respondent

ANIL KSHETARPAL, J (Oral)

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

This is wife's petition under Section 24 of the Code of Civil Procedure, 1908, seeking the transfer of the proceedings in petition filed under Section 13 of the Hindu Marriage Act, 1955, bearing HMA 179/2020 titled as 'Surinder Singh vs. Surjit Kaur' pending in the Court District and Sessions Judge, Kapurthala, to the Court of competent jurisdiction at Jalandhar.

The petitioner claims that the respondent (husband) is already defending a petition filed under Section 125 Cr.P.C at District Court, Jalandhar and she being illiterate and handicapped is unable to properly defend the proceedings at Kapurthala. She further claims that she does not have any independent source of income.

As per the office report, notice issued to the respondent has been received back served, however, he remains unrepresented.

In view of the aforesaid, the transfer application is allowed.

It is directed that the proceedings in the petition filed under Section 13 of the Hindu Marriage Act, 1955, bearing HMA 179/2020 titled as 'Surinder Singh vs. Surjit Kaur' pending in the Court of District and Sessions Judge, Kapurthala, be transferred to the Court of competent jurisdiction at Jalandhar. The transferor court is directed to remit the file of the case to the transferee court forthwith. The parties through their counsel are directed to appear before the District & Sessions Judge, Jalandhar on 08.10.2021, who shall either try the case himself or assign the same to the court of competent jurisdiction in the District.

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

20.09.2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE