

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

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ASHOK KUMAR
2021.10.04 16:23
I attest to the accuracy and
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TA-458-2021

Date of decision: 01.10.2021

JYOTI BALA

..Petitioner

Versus

JAGSIR SINGH @ SUNNY

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Jagmeet S. Moudgill, Advocate for the petitioner.
Mr. DS Malwai, Advocate 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.

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 13(1) of the Hindu Marriage Act, 1955, bearing case No.DMC/77/2021, titled as “Jagsir Singh @ Sunny vs. Jyoti Bala”, pending in the Court of Principal Judge, Family Court, Bathinda, to the Court of competent jurisdiction at Sangrur.

The petitioner claims that she got married to the respondent on 07.11.2015 and they have been blessed with a female child. She claims that presently, she is residing with her parents at Sangrur and the distance between Bathinda and Sangrur is 90 Kms. The petitioner further claims that she cannot properly defend the petition at Bathinda.

The learned counsel representing the petitioner places reliance on the following litigations pending in District Courts, Bathinda:-

- (i) Under Section 125 Cr.P.C.
(ii) Case No.COMA/27/2019, under the Domestic Violence Act, 2005.

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 at District Courts, Bathinda.

Dasti also.”

Learned counsel for the respondent contends that the respondent

is taking care of a female child aged 1 year.

As the facts noticed in the order dated 06.09.2021 are not

disputed, the petition is allowed. The proceedings of petition filed under Section 13(1) of the Hindu Marriage Act, 1955, bearing case No.DMC/77/2021, (Jagsir Singh @ Sunny vs. Jyoti Bala), pending in the Court of Principal Judge, Family Court, Bathinda, are ordered to be transferred to the Court of competent jurisdiction at Sangrur. 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, Sangrur, on 18.10.2021 who shall either decide the matter himself or assign it to the Court of competent jurisdiction at Sangrur.

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