

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

TA-573-2021 (O&M)

Date of decision: 22.09.2021

Varinder Kaur

...Petitioner

Versus

Mandeep Singh and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Vikram Jeet Singh, Advocate for the petitioner

Mr.Ashok Bhardwaj, 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.

This is wife's petition under Section 24 of the Code of Civil Procedure, 1908, seeking the transfer of the proceedings in a petition filed under Section 13 (1) of the Hindu Marriage Act, 1955, bearing HMA 327/2021 titled as 'Mandeep Singh vs. Varinder Kaur and another' pending in the Court of the District Judge, Sangrur, to the Court of competent jurisdiction at Rupnagar.

The petitioner claims that she got married to the respondent on 07.01.2007. She claims that presently she is residing with her aged parents at Rupnagar and the distance between Rupnagar and Sangrur is 120 Kms. The petitioner further claims that she is unemployed and does not have any independent source of income and is unable to properly defend the petition at Sangrur.

Learned counsel for the petitioner contends that respondent (husband) is already defending a petition under Section 125 Cr.P.C at

Rupnagar.

Sh. Ashok Bhardwaj, Advocate, has entered appearance on behalf of the respondent and has contested the petition. He has drawn the attention of the Court to the assertions made in the petition which are still, to be proved. However, learned counsel representing the respondent does not dispute the factual aspect noticed above.

In view of the aforesaid, the transfer application is allowed. It is directed that the proceedings in the petition filed under Section 13 (1) of the Hindu Marriage Act, 1955, bearing HMA 327/2021 titled as 'Mandeep Singh vs. Varinder Kaur and another' pending in the Court of the District Judge, Sangrur, be transferred to the Court of competent jurisdiction at Rupnagar. 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, Rupnagar on 11.10.2021, 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.

22.09.2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE