

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

TA-531-2021 (O&M)

Date of decision: 17.08.2021

Jasvir Kaur @ Jasbir Kaur

....Petitioner

Versus

Jagtar Singh

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.H.S.Bedi, Advocate for
Mr. Ravinder Singh, Advocate for the petitioner

Mr. Ramanjeet Singh, 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 petition has been filed by the petitioner (wife) seeking the transfer of the petition filed under Section 13 of the Hindu Marriage Act, 1955, bearing No.DMC/130/2021, titled as 'Jagtar Singh vs. Jasbir Kaur' pending in the Court of Additional District and Sessions Judge, Fatehgarh Sahib to the Court of competent jurisdiction at Rupnagar.

Learned counsel representing the petitioner contends that the petitioner is taking care of her two minor female children and the respondent is already defending two cases i.e petition under Section 9 of the Hindu Marriage Act, 1955 and petition under Section 125 Cr.P.C, before the District Court at Rupnagar.

On the other hand, learned counsel representing the respondent contends that the distance between the two places is only 40 kms.

Be that as it may. Once the respondent is already defending two cases at District Courts, Rupnagar, it is considered appropriate to direct the respondent to prosecute the petition filed by him under Section 13 of the Hindu Marriage Act, 1955, also at District Courts Rupnagar. Hence, the transfer application is allowed. It is directed that the petition filed under Section 13 of the Hindu Marriage Act, 1955, bearing No.DMC/130/2021, titled as 'Jagtar Singh vs .Jasbir Kaur' pending in the Court of Additional District and Sessions Judge, Fatehgarh Sahib 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 and Sessions Judge, Rupnagar on 03.09.2021, who shall either try the case herself or assign the same to the court of competent jurisdiction in the District.

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

17.08.2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE