

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

TA-569-2021 (O&M)

Date of decision : 16.12.2021

Ravneet Kaur

.....Petitioner(s)

Versus

Rashmeet Singh

.....Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Nikhil Anand, Advocate for the petitioner.

None for the respondent.

ALKA SARIN, J. (ORAL)

Heard in physical mode.

The present petition has been filed under Section 24 of the Code of Civil Procedure, 1908 seeking transfer of the petition i.e. HMA No.541 of 2021 titled as “*Rashmeet Singh Vs. Ravneet Kaur*” filed by the respondent-husband under Section 9 of the Hindu Marriage Act, 1955 (in short the 'HM Act') pending in the Court of Principal Judge, Family Court, Ludhiana to the Court of competent jurisdiction at Chandigarh.

Learned counsel for the petitioner would contend that the petitioner was married to the respondent on 22.10.2020 and she is now residing at Chandigarh along with her old aged widowed mother. The petitioner is stated to be having no independent source of income. He would further contend that the petitioner in order to defend the case at Ludhiana

would have to travel a distance of approximately 100 kms (one way) and it is not feasible for her, financially or otherwise, to travel to Ludhiana on each and every date of hearing.

Learned counsel for the petitioner would further contend that a complaint before the Women Cell, Sector 17 Chandigarh and a petition under Section 125 of the Code of Criminal Procedure, 1973 (CrPC) for grant of maintenance are already pending at Chandigarh.

As per the office report, service is complete. However, none had put in appearance on behalf of the respondent on the last date of hearing i.e. on 13.12.2021. Even today, none has put in appearance on his behalf. He is, therefore, proceeded against *ex parte*.

Heard learned counsel for the petitioner.

In the present case, the petitioner is now residing at Chandigarh along with her old aged widowed mother and has no independent source of income. She would have to travel a distance of approximately 200 kms (to and fro) in order to attend the proceedings at Ludhiana. Additionally, two cases filed at the instance of the petitioner being a complaint before the Women Cell, Sector 17, Chandigarh and a petition under Section 125 CrPC are already pending at Chandigarh.

In view of the above, I deem this to be a fit case for transfer of the petition i.e. HMA No.541 of 2021 titled as **“Rashmeet Singh Vs. Ravneet Kaur”** filed by the respondent-husband under Section 9 of the HM Act pending in the Court of Principal Judge, Family Court, Ludhiana to the Court of competent jurisdiction at Chandigarh. Ordered accordingly.

The records of the case shall be sent by the concerned Court to the Court of the learned District Judge, Chandigarh and the parties shall appear there on 10.01.2022 at 10.00 a.m.

The present petition is disposed off in the above terms.

16.12.2021
Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO