

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

205

TA-580-2021 (O&M)

Date of decision: 14.09.2021

SARBJEET KAUR

..Petitioner

Versus

MANPREET SINGH AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Lupil Gupta, Advocate for the petitioner.

ANIL KSHETARPAL, J (Oral)

As per the office report, notices issued to the respondents have been received back served. However, they remain unrepresented.

Through this application, the petitioner (wife) prays for transfer of the proceedings in civil suit (Manpreet Singh and another vs. Sarabjeet Kaur and others) pending before the Additional Civil Judge (Sr. Div.), Gidderbaha, District Sri Muktsar Sahib, to the Court of competent jurisdiction at Abohar, District Fazilka.

It is asserted that the distance between Gidderbaha and Abohar is 52 kms. and respondent No.1 (husband) is defending two litigations at Abohar i.e. proceedings under Section 125 Cr.P.C. and under Section 12 of the Protection of Women from Domestic Violence Act, 2005.

The petitioner's husband and father-in-law have filed the suit for possession on account of malicious prosecution in criminal complaint No.61 of 2014 and other proceedings.

Keeping in view the uncontroverted facts, the petition is

allowed. The proceedings in civil suit (Manpreet Singh and another vs. Sarabjeet Kaur and others) pending before the Additional Civil Judge (Sr. Div.), Gidderbaha, District Sri Muktsar Sahib, are ordered to be transferred to the Court of competent jurisdiction at Abohar. The transferor Court is requested to remit the case file to the transferee Court forthwith. The parties are directed to appear before the Additional Civil Judge (Sr. Div.), Abohar, on 05.10.2021 who shall either decide the matter himself or assign it to the Court of competent jurisdiction at Abohar.

All the pending miscellaneous application(s), if any, are also disposed of.

14.09.2021

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)

JUDGE