

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

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ASHOK KUMAR
2021.10.14 15:50
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TA-583-2021

Date of decision: 13.10.2021

AMREEN KAUR GILL

..Petitioner

Versus

GURBIR SINGH GILL

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. HS Randhawa, Advocate for the petitioner.

ANIL KSHETARPAL, J (Oral)

This Court while deciding TA No.567 and 600 of 2021 between

the same parties has passed the following order:-

“By this order, two transfer applications filed by the wife of the respondent shall stand disposed of.

As per the office report, notice issued to the respondent has been received back served. However, he remains unrepresented.

The petitioner prays for transfer of the proceedings in the following cases:-

1. Civil suit No.1610/2021 (Gurbir Singh vs. Amreen Kaur Gill) from the Court of learned Civil Judge (Sr. Div.), Jalandhar, to the Court of learned Principal Judge, Family Court, Patiala.
2. HMA/177/2021 (Gurbir Singh Gill vs. Amreen Kaur Sidhu) from the Court of learned Addl. Principal Judge, Family Court-II, Jalandhar, to the Court of learned Principal Judge, Family Court, Patiala.

The proceedings are pending at District Court, Jalandhar. The petitioner claims that the distance between Patiala and Jalandhar is 150 kms. and the respondent (husband) is already defending proceedings in FIR No.40, dated 14.06.2021, registered under Section 406, 498-A and 377 IPC, at Police Station PS Women, District Patiala and application under Section 12 of the Protection of Women from Domestic Violence Act, 2005.

The petitioner is also stated to be living with her minor daughter aged about 1 year and 4 months.

Keeping in view the aforesaid facts, the petitions are allowed. The proceedings in civil suit No.1610/2021 (Gurbir Singh vs. Amreen Kaur Gill) pending in the Court of learned Civil Judge (Sr. Div.), Jalandhar, and HMA/177/2021 (Gurbir Singh Gill vs. Amreen Kaur Sidhu) pending in the Court of learned Addl. Principal Judge, Family Court-II, Jalandhar, are ordered to be transferred to the Court of competent jurisdiction at Patiala. The transferor Court is requested to remit the case files to the transferee Court forthwith. The parties are directed to appear before the

District Judge, Patiala, on 05.10.2021 who shall either decide the matters himself or assign it to the Court of competent jurisdiction at Patiala.

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

Learned counsel representing the petitioner prays for transfer of the proceedings of the petition filed under Section 7 and 25 of the Guardians and Wards Act, 1890, bearing No.GW/92/2021, titled as “Gurbir Singh Gill vs. Amreen Kaur Gill” pending in the Family Court-II, Jalandhar, to the Court of competent jurisdiction at Patiala, on the same grounds.

As per the office report, notice issued to the respondent has been received back served. However, he remains unrepresented.

Keeping in view the aforesaid facts, the petition is allowed.

The petition filed under Section 7 and 25 of the Guardians and Wards Act, 1890, bearing No.GW/92/2021, titled as “Gurbir Singh Gill vs. Amreen Kaur Gill” pending in the Family Court-II, Jalandhar, is ordered to be transferred to the Court of competent jurisdiction at Patiala.

The transferor Court is requested to remit the case file to the transferee Court forthwith.

The parties through their counsel are directed to appear before the transferee Court on 08.11.2021.

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

13.10.2021

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)

JUDGE