

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

TA-467-2019 (O&M)

Date of decision: 10.09.2021

Gurpreet Kaur

...Petitioner

Versus

Khushpreet Singh

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.P.K.S.Phoolka, Advocate for the petitioner

Mr. Aman Dhir, 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 the petition filed by the wife under Section 24 of the Code of Civil Procedure, 1908, seeking the transfer of proceedings in the petition filed under Section 13 of the Hindu Marriage Act, 1955, bearing DMC/777/2018, titled as 'Khushpreet Singh vs. Gurpreet Kaur' pending in the Court of Additional District Judge, Patiala, to the Court of competent jurisdiction at Bathinda

The petitioner claims that she is maintaining her three years old child, born out of the wedlock and a complaint under Section 12 of the Protection of Women from Domestic Violence Act, 2005, is already pending at Bathinda.

Sh. Aman Dhir, Advocate representing the respondent, while contesting the petition contends that the petitioner is residing at Patiala. He relies upon Aadhar Card, voter identity card and other documents.

On 29.11.2019, the petitioner was directed to place on record documents to prove that presently she is residing at Bathinda. In compliance thereto, an affidavit has been filed by the petitioner stating that she is residing in her parental house at Bathinda since June, 2018.

In view of the aforesaid facts, the transfer application is allowed. It is directed that proceedings in the petition filed under Section 13 of the Hindu Marriage Act, 1955, bearing DMC/777/2018, titled as 'Khushpreet Singh vs. Gurpreet Kaur' pending in the Court of Additional District Judge, Patiala be transferred to the Court of competent jurisdiction at Bathinda. 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, Bathinda on 01.10.2021, 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.

10.09.2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE