

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

TA-625-2021 (O&M)

Date of decision: 07.09.2021

Amrita

...Petitioner

Versus

Jagtar Singh

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Ms. Ramneet Kaur, Advocate for the petitioner

ANIL KSHETARPAL, J (Oral)

This is the petition filed by the wife under Section 24 of the Code of Civil Procedure, 1908, seeking the transfer of proceedings in petition filed under Section 9 of the Hindu Marriage Act, 1955, bearing HMA 1068/2020, titled as 'Jagtar Singh vs. Amrita' pending in the Court of Additional Principal Judge, Family Court, Amritsar to the Court of competent jurisdiction at Hoshiarpur.

The petitioner claims that she got married to the respondent on 12.12.2016 and presently she alongwith her minor child, is residing with her aged parents at Hoshiarpur and the distance between Hoshiarpur and Amritsar is 110 Kms. The petitioner further claims that she cannot properly defend the petition at Amritsar.

Learned counsel for the petitioner contends that respondent (husband) is already defending three cases at District Court, Hoshiarpur i.e FIR no. 20 dated 20.02.2021 registered under Section 498-A, 406 IPC at P.S. Sadar, Hoshiarpur, a petition under Section 125 Cr.P.C and an application under Section 12 of the Protection of Women from Domestic Violence Act, 2005.

In view of the aforesaid facts, the transfer application is allowed. It is directed that the petition filed Section 9 of the Hindu Marriage Act, 1955, bearing HMA 1068/2020, titled as 'Jagtar Singh vs. Amrita' pending in the Court of Additional Principal Judge, Family Court, Amritsar be transferred to the Court of competent jurisdiction at Hoshiarpur. 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, Hoshiarpur on 28.09.2021, 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.

07.09.2021

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE