

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

TA-638-2021 (O&M)

Date of decision: 11.10.2021

Surjit Kaur

...Petitioner

Versus

Gurmukh Singh

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Prateek Sodhi, Advocate for the petitioner

None for the respondent

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 no. HMA 507/2021 titled as 'Gurmukh Singh vs. Surjit Kaur' pending in the Court of Principal Judge, Family Court, Moga, to the Court of competent jurisdiction at Ajnala, District Amritsar.

The petitioner claims that she alongwith her two children, is residing at Ajnala and the distance between Ajnala and Moga is 145 Kms. The petitioner further claims that she cannot properly defend the petition at Moga.

Learned counsel for the petitioner contends that respondent (husband) is already defending an application under Section 12 of the Protection of Women from Domestic Violence Act, 2005, at Ajnala.

As per the office report, the respondent has been served, however, he remains un-represented.

In view of the aforesaid uncontroverted facts, the transfer application is allowed. It is directed that the proceedings in petition filed Section 9 of the Hindu Marriage Act, 1955, bearing no. HMA 507/2021 titled as 'Gurmukh Singh vs. Surjit Kaur' pending in the Court of Principal Judge, Family Court, Moga, be transferred to the Family Court, Ajnala, District Amritsar. 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 Family Court, Ajnala on 03.11.2021.

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

11.10.2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE