

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

206

TA-636-2021 (O&M)

Date of decision: 26.08.2021

PARWINDER KAUR

..Petitioner

Versus

KAMALDEEP SINGH

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Munish Garg, Advocate for the petitioner.

None 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.

As per the office report, notice issued to the respondent has been served through his trial Court counsel.

On 12.08.2021, the following order was passed:-

This petition has been filed by the wife seeking the transfer of the divorce petition filed under Section 9 of the Hindu Marriage Act, 1955, titled as “Kamaldeep Singh vs. Parwinder Kaur” bearing No.HMA/306/2021, pending in the Court of Principal Judge, Family Court, Mansa to the Court of competent jurisdiction at Barnala.

The petitioner claims that she got married to the respondent on 10.02.2021. She claims that, at present, she is residing with her parents at Barnala and cannot properly defend the petition at Mansa.

Learned counsel representing the petitioner places reliance on the litigation pending in the Family Court, Barnala, under Section 125 Cr.P.C. bearing No.HMA/121/2021. He further contends that the petitioner is pregnant and it is difficult for her to travel on each date of hearing.

Notice of motion for 26.08.2021.

The liberty is granted to the petitioner to serve the respondent through his counsel Sh. Vikas Goyal, at District Courts, Mansa.

Dasti also.

Keeping in view the fact that the respondent has failed to contest this petition and he is already defending proceedings in an application filed under Section 125 Cr.P.C. in the Family Court at Barnala, therefore, the petition is allowed. The file of HMA/306/2021 (Kamaldeep Singh Vs. Parwinder Kaur) pending in the Court of Principal Judge, Family Court, Mansa, is ordered to be transferred to the Court of competent jurisdiction at Barnala. The transferor Court is requested to remit the case file to the transferee Court forthwith. The petitioner is directed to appear before the District Judge, Barnala, on 09.09.2021 who will either decide the matter himself or assign it to the Court of competent jurisdiction at Barnala.

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

26.08.2021

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)

JUDGE