

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

TA-648-2021 (O&M)

Date of decision: 20.09.2021

Harleen Kaur

....Petitioner

Versus

Newton Singh Luthra

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Kunwar Rajan, Advocate for the petitioner

Mr. Narinder Singh Lucky, 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 wife's petition under Section 24 of the Code of Civil Procedure, 1908, seeking the transfer of the proceedings in petition filed under Section 9 of the Hindu Marriage Act, 1955, bearing HMA/843/2021 titled as 'Newton Singh Luthra vs. Harleen Kaur' pending in the Court of Principal Judge, Family Court, Amritsar, to the Court of competent jurisdiction at Patiala.

Learned counsel for the petitioner contends that the petitioner has been blessed with a son on 12.09.2021 and the respondent is already defending a complaint filed by the petitioner at Patiala and the distance between Amritsar and Patiala is 240 kms.

Since the petitioner is a lactating mother and the respondent is already defending criminal complaint at Patiala, therefore, the transfer application is allowed. It is directed that the proceedings in the petition

filed under Section 9 of the Hindu Marriage Act, 1955, bearing HMA/843/2021 titled as 'Newton Singh Luthra vs. Harleen Kaur' pending in the Court of Principal Judge, Family Court, Amritsar, be transferred to the Court of competent jurisdiction at Patiala. 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, Patiala on 08.10.2021, 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.

20.09.2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE