

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

101+210

TA-651-2021 (O&M)

Date of decision: 08.09.2021

AMANDEEP KAUR

..Petitioner

Versus

GURVINDER SINGH

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Munish Garg, Advocate for the petitioner.
Mr. Amit K. Walia, 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.

On 17.08.2021, the following order was passed:-

“This petition has been filed by the wife seeking the transfer of the petition filed under Section 13 of the Hindu Marriage Act, 1955, bearing case No.HMA/478/2021, titled as “Gurwinder Singh vs. Amandeep Kaur” pending in the Family Court, at Sangrur, to the Court of competent jurisdiction at Barnala.

The petitioner claims that she got married to the respondent on 12.12.2019. She claims that presently she is residing with her parents at District Barnala and the distance between Barnala and Sangrur is 40 Kms. The petitioner further claims that she cannot properly defend the petition at Sangrur.

The learned counsel representing the petitioner places reliance on the following litigations pending in District Courts, Barnala:-

- (i) Petition under Section 9 of the Hindu Marriage Act, 1955;
- (ii) Petition under Section 125 Cr.P.C., for maintenance

He contends that it will be very difficult for the petitioner to travel on each date of hearing.

Notice of motion for 31.08.2021.

The liberty is granted to the petitioner to serve the respondent through his counsel Sh. Davinder Sharda, Advocate, at District Courts, Sangrur.

Dasti also.”

Learned counsel representing the respondent contends that the

aforesaid two petitions have been filed after the filing of the petition under Section 13 of the Hindu Marriage Act, 1955 by the petitioner.

Since the respondent is supposed to defend two cases at Barnala, therefore, in the considered view of this Court, it will be appropriate to transfer the present petition to the Court of competent jurisdiction at Barnala. Accordingly, the petition is allowed. The proceedings of case bearing No.HMA/478/2021 (Gurwinder Singh vs. Amandeep Kaur) pending in the Family Court, Sangrur, 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 parties are directed to appear before the District Judge, Barnala, on 29.09.2021 who shall either decide the matter himself or assign it to the Court of competent jurisdiction at Barnala.

All the pending miscellaneous application(s), if any, are also disposed of.

08.09.2021

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE