

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

210

TA-652-2021(O&M)
Date of Order: 06.09.2021

SIMRANDEEP KAUR

..Petitioner

Versus

JASPREET SINGH

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sunny K. Singla, Advocate
for the petitioner.

Mr. Hitesh Verma, Advocate
for respondent.

ANIL KSHETARPAL, J(Oral)

The hearing of the case was held through video conferencing
on account of restricted functioning of the Courts.

On 18.08.2021, the following order was passed:-

“The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

This petition has been filed by the wife seeking the transfer of the petition filed under Section 13 of the Hindu Marriage Act, 1955, titled as “Jaspreet Singh vs. Simrandeep Kaur”, pending in the Court of Additional Principal Judge, Family Court, Jagraon to the Court of competent jurisdiction at Malerkotla.

The petitioner claims that she got married to the respondent on 27.02.2020. She claims that presently, she is residing with her parents at Malerkotla and the distance between Jagraon and Malerkotla is more than 58 Kms. The petitioner further claims that she cannot properly defend the petition at Jagraon.

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

(i) Domestic Violence Act, 2005.

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

Notice of motion for 02.09.2021.

The liberty is granted to the petitioner to serve the respondent through his counsel Ms. Parminder Kaur, at District Courts, Jagraon.

Dasti also.”

Sh. Hitesh Verma, Advocate, has entered appearance on behalf of the respondent and contested the petition.

It has been pointed out that the petitioner (the respondent's wife) got registered FIR No.1, dated 03.03.2021, under Section 406, 498-A IPC, registered at Police Station Women, District Ludhiana Rural, which falls under the jurisdictional area of Courts at Jagraon.

On the other hand, learned counsel representing the petitioner has submitted that as the respondent is a Constable in Punjab Police, on that account, cancellation report has already been prepared.

Keeping in view fact that the respondent is already defending a case under the Protection of Women from Domestic Violence Act, 2005, at Malerkotla, consequently, the petition is allowed.

The petition under Section 13 of the Hindu Marriage Act, 1955, titled as “Jaspreet Singh Vs. Simrandeep Kaur” pending in the Court of Additional Principal Judge, Family Court, Jagraon, is ordered to be transferred to the Court of competent jurisdiction at Malerkotla.

The transferor Court is requested to remit the case file to the transferee Court forthwith.

The petitioner through her counsel is directed to appear before the transferee Court on 27.09.2021.

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

September 06, 2021

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**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No