

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

TA-654-2021 (O&M)

Date of decision: 09.09.2021

Yashpal Kaur

....Petitioner

Versus

Gurwinder Singh

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Hardik Ahluwalia Advocate for the petitioner

None for the respondent

ANIL KSHETARPAL, J (Oral)

On 11.08.2021, the following order was passed by this Court:-

“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 petition, bearing No.DMC/138/2021 filed under Section 13 of the Hindu Marriage Act, 1955, titled as 'Gurwinder Singh Vs. Yashpal Kaur' pending in the Family Court, Fatehgarh Sahib to the Court of competent jurisdiction at Jalandhar.

It is pleaded that the distance between two places is 125 Kms and she is residing with her parents who are old and entirely dependant upon her.

Notice of motion for 23.08.2021.

Dasti also.

The petitioner shall be at liberty to serve the respondent through his counsel in the trial Court.”

As per the office report, the notice issued to the respondent has been received back served, however, he remains unrepresented.

In view of the facts noticed in the order dated 11.08.2021, the transfer application is allowed. It is directed that the proceedings in petition, bearing No.DMC/138/2021 filed under Section 13 of the Hindu Marriage Act, 1955, titled as 'Gurwinder Singh Vs. Yashpal Kaur' pending in the Family Court, Fatehgarh Sahib be transferred to the Court of competent jurisdiction at Jalandhar. 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, Jalandhar on 30.09.2021, 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.

09.09.2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE