

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

207

TA-754-2021 (O&M)

Date of decision: 17.09.2021

RAMANDEEP

..Petitioner

Versus

KULWANT SINGH

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: None.

ANIL KSHETARPAL, J (Oral)

The hearing of the case was held through video conferencing on

account of restricted functioning of the Courts.

On 25.08.2021, the following order was passed:-

“This petition has been filed by the wife seeking the transfer of the case bearing No.HMA/717/2019, titled as “Kulwant singh vs. Ramandeep”, pending in the Court of Principal Judge, Family Court Camp at Phillaur, District Jalandhar, to the Court of competent jurisdiction at SBS Nagar (Nawanshahar).

The petitioner claims that she got married to the respondent on 13.02.2018 and they have been blessed with one male child. She claims that presently, she is residing with her parents at SBS Nagar (Nawanshahar) and the distance between Phillaur (Jalandhar) and SBS Nagar (Nawanshahar) is more than 65 Kms. The petitioner further claims that she cannot properly defend the petition at Phillaur.

The learned counsel representing the petitioner places reliance on the following litigations pending in District Courts, SBS Nagar (Nawanshahar):-

- (i) Under Section 125 Cr.P.C.
- (ii) FIR No.17, registered under Section 498-A/406 IPC, at Police Station Sadar Banga, District SBS Nagar (Nawanshahar).
- (iii) Under Section 7 and 25 of the Guardian and Wards Act, 1890.

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

Notice of motion for 17.09.2021.

The liberty is granted to the petitioner to serve the respondent through his counsel Sh. Charnjit Powari, at Family

Courts, Phillaur.

Dasti also.”

As per the office report, notice issued to the respondent has been received back served through his counsel in the trial Court. However, he remains unrepresented.

In view of the facts noticed in the order dated 25.08.2021 which are not in dispute, the petition is allowed. The proceedings of HMA No.717/2019 (Kulwant Singh vs. Ramandeep) pending in the Court of Principal Judge, Family Court, Phillaur at Jalandhar, are ordered to be transferred to the Court of competent jurisdiction at SBS Nagar (Nawanshahr). 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, SBS Nagar (Nawanshahr), on 07.10.2021 who shall either decide the matter himself or assign it to the Court of competent jurisdiction at SBS Nagar (Nawanshahr).

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

17.09.2021

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)

JUDGE