

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

TA-767-2021 (O&M)

Date of decision: 20.09.2021

Amanpreet Kaur

....Petitioner

Versus

Gagandeep Parmar

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Karanjit Singh, Advocate for the petitioner

None 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.

While issuing notice of motion on 27.08.2021, 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 petition has been filed by the wife seeking the transfer of the petition filed under Section 13(1)(ia) of the Hindu Marriage Act, 1955, titled as 'Gagandeep Parmar vs. Amanpreet Kaur' pending in the Court of Principal Judge, Family Court, Faridabad, to the Court of competent jurisdiction at Amritsar.

The petitioner claims that she got married to the respondent on 24.01.2004. She claims that at present, she alongwith her minor children, is residing with her parents at Amritsar and cannot properly defend the petition at Faridabad. She further states that her younger son is suffering from Autism Spectrum Disorder and is fully dependent upon her.

Learned counsel representing the petitioner contends that the respondent-husband is already facing trial in two cases in District Courts at Amritsar i.e a petition under Section 125 Cr.P.C and an application under Section 12 of the Protection of Women from Domestic Violence Act, 2005.

Notice of motion for 20.09.2021.

The liberty is granted to the petitioner to serve the respondent through his counsel Sh. Inderjeet Singh Tanwar, District Court, Faridabad.

Dasti also.”

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

In view of the aforesaid uncontroverted facts, the transfer application is allowed. It is directed that the proceedings in the petition filed under Section 13(1)(ia) of the Hindu Marriage Act, 1955, titled as 'Gagandeep Parmar vs. Amanpreet Kaur' pending in the Court of Principal Judge, Family Court, Faridabad, be transferred to the Court of competent jurisdiction at Amritsar. 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, Amritsar 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