

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

211

TA-771-2021(O&M)
Date of Order: 22.09.2021

HARPREET KAUR

..Petitioner

Versus

JASPAL SINGH

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Ms. Ramneet Kaur Nijjar, Advocate
for the petitioner.

ANIL KSHETARPAL, J(Oral)

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

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

On 27.08.2021, 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 9 of the Hindu Marriage Act, 1955, bearing No.HMA/167/2021, titled as 'Jaspal Singh vs. Harpreet Kaur' pending in the Court of Principal Judge, Family Court (Camp at Phagwara), Phagwara to the Court of competent jurisdiction at SBS Nagar.

The petitioner claims that she got married to the respondent on 02.03.2020. She claims that at present, she alongwith her minor child is residing at SBS Nagar and cannot properly defend the petition at Phagwara.

Learned counsel representing the petitioner contends that the respondent-husband is already facing trial in a petition under Section 125 Cr.P.C at SBS Nagar.

Notice of motion for 22.09.2021.

The liberty is granted to the petitioner to serve the respondent through his counsel Sh. Lal Mohan Chopra, District Court, Phagwara.

Dasti also.”

Keeping in view the uncontroverted facts as noticed in the Order dated 27.08.2021, the petition is allowed.

The petition under Section 9 of the Hindu Marriage Act, 1955, bearing No.HMA/167/2021, titled as 'Jaspal Singh vs. Harpreet Kaur' pending in the Court of Principal Judge, Family Court (Camp at Phagwara), Phagwara, is ordered to be transferred to the Court of competent jurisdiction at SBS Nagar.

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

The parties through their counsel are directed to appear before the transferee Court on 11.10.2021.

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

September 22, 2021

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**(ANIL KSHETARPAL)
JUDGE**

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