

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

ASHOK KUMAR
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TA-770-2021 (O&M)

Date of decision: 27.09.2021

RUPINDERJIT MAAN

..Petitioner

Versus

JAGMOHAN SINGH

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Kunal Vinayak, Advocate for the petitioner.

Mr. Rahul Sharma, Advocate 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.

On 27.08.2021, the following order was passed:-

“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/3271/2019, titled as 'Jagmohan Singh vs. Rupinderjit Maan' pending in the Court of Principal Judge, Family Court, Ludhiana, to the Court of competent jurisdiction at Amritsar.

The petitioner claims that she got married to the respondent on 08.05.2005. She claims that at present, she alongwith her minor children, is residing with her parents at Amritsar and cannot properly defend the petition at Ludhiana as the distance between the two places is 141 kms.

Notice of motion for 22.09.2021.

The liberty is granted to the petitioner to serve the respondent through his counsel Sh. Ashwani Sharma, District Court, Ludhiana.

Dasti also.”

Learned counsel for the respondent has opposed the application on the ground that this is the only petition pending at Ludhiana and the petitioner can properly defend the petition there.

The petitioner is already maintaining her two minor children.

The Court has been informed that one of her child suffers from autism.

Keeping in view the aforesaid facts, the petition is allowed. The proceedings of petition filed under Section 9 of the Hindu Marriage Act, 1955, bearing No.HMA/3271/2019, titled as 'Jagmohan Singh vs. Rupinderjit Maan' pending in the Court of Principal Judge, Family Court, Ludhiana, are ordered to be transferred to the Court of competent jurisdiction at Amritsar. 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, Amritsar, on 13.10.2021 who shall either decide the matter himself or assign it to the Court of competent jurisdiction at Amritsar.

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

27.09.2021

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE