

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

209

TA-793-2021(O&M)
Date of Order: 29.09.2021

RAMANDEEP KAUR

..Petitioner

Versus

JOYDEEP SINGH AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Sh. G.S. Madan, Advocate
for the petitioner.

Sh. G.S. Kaura, Advocate
for respondents.

Mr. Sunil Kumar Sharma, Advocate
for respondent No.3 and 4.

ANIL KSHETARPAL, J(Oral)

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

On 02.09.2021, 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 case bearing No.CS/753/2021, titled as “Joydeep Singh and another Vs. Union of India and other”, pending in the Court of Civil Judge (Sr. Division), Patiala, to the Court of competent jurisdiction at Jalandhar.

The petitioner claims that she got married to the respondent on 24.01.2010 and they have been blessed with two children. She claims that presently, she is residing with her parents at Jalandhar and the distance between Patiala and Jalandhar is approximately 160 kms. The petitioner further claims that she cannot properly defend the petition at Patiala.

The learned counsel representing the petitioner places reliance on the following litigations pending in District Courts, Jalandhar:-

- i) Under Section 125 Cr.P.C.,*
- ii) Under Section 12 of the Domestic Violence Act, 2005.*

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

Notice of motion for 29.09.2021.

The liberty is granted to the petitioner to serve the respondent through his counsel Sh. Vikas Mittal, at District

Courts Patiala.
Dasti also.”

Sh. G.S. Kaura, Advocate, has submitted that the application should not be allowed as the respondent is suffering from heart disease and he has been provided security by the Punjab Police.

It is in dispute that the applicant-wife apart from the facts noticed in the order dated 02.09.2021, is also taking care of two minor children.

As regards, the objection of learned counsel that the respondent suffers from a heart disease, the respondent is not required to attend the hearing on each date of hearing. Still further, the respondent can always file an application for permission to appear through video conferencing.

In view thereof, the petition is allowed.

The proceedings of case bearing No.CS/753/2021, titled as “Joydeep Singh and another Vs. Union of India and others”, presently pending in the Court of Civil Judge (Sr. Division), Patiala, is ordered to be transferred to the Court of competent jurisdiction at Jalandhar.

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 14.10.2021.

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

September 29, 2021

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(ANIL KSHETARPAL)
JUDGE

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