

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

ASHOK KUMAR
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TA-791-2021 (O&M)

Date of decision: 28.09.2021

AMANJOT KAUR

..Petitioner

Versus

GURDEEP 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.

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

While issuing notice of motion on 02.09.2021, 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 case No.HMA/34/2021, titled as “Gurdeep Singh vs. Amanjot Kaur”, pending in the Court of Additional Principal Judge, Family Court, Khanna, to the Court of competent jurisdiction at Malerkotla.

The petitioner claims that she got married to the respondent on 21.08.2020. She claims that presently, she is residing with her parents at Malerkotla and the distance between Khanna and Malerkotla is approximately 50 Kms. The petitioner further claims that she cannot properly defend the petition at Khanna.

The learned counsel representing the petitioner places reliance on the pendency of a petition under Section 125 Cr.P.C. The learned counsel contends that it will be very difficult for the petitioner to travel on each date of hearing.

Notice of motion for 28.09.2021.

The liberty is granted to the petitioner to serve the respondent through his counsel Ms. Veena Gulati at District Courts, Ludhiana/Camp Court at Khanna.

Dasti also.”

As the respondent has not entered appearance, the facts noticed

in the order dated 02.09.2021 remain uncontroverted. Hence, the petition is allowed. The proceedings of HMA/34/2021, (Gurdeep Singh vs. Amanjot Kaur), pending in the Court of Additional Principal Judge, Family Court, Khanna, are ordered to be transferred to the Court of competent jurisdiction at Malerkotla. 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, Malerkotla, on 14.10.2021 who shall either decide the matter himself or assign it to the Court of competent jurisdiction at Malerkotla.

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

28.09.2021

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)**JUDGE**