

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

TA-799-2021 (O&M)

Date of decision: 11.10.2021

Gurmeet Kaur

...Petitioner

Versus

Amritpal Singh

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.J.K.Singla, Advocate for the petitioner

None for the respondent

ANIL KSHETARPAL, J (Oral)

While issuing notice of motion on 03.09.2021, 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 25 of the Guardian & Wards Act, titled as “Amritpal Singh vs. Gurmeet Kaur”, pending in the Court of Principal Judge, Family Court, Kharar, District SAS Nagar (Mohali), to the Court of competent jurisdiction at Mansa.

The petitioner claims that she got married to the respondent on 02.10.2019 and they have been blessed with a girl child. She claims that presently, she is residing with her parents at Mansa and the distance between Kharar, District SAS Nagar (Mohali) and Mansa is more than 170 Kms. The petitioner further claims that she cannot properly defend the petition at Kharar.

The learned counsel representing the petitioner places reliance on the litigation under Section 125 Cr.P.C. at Mansa. 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 Ms. Rajvinder Kaur, at District Courts, SAS Nagar, Mohali.

Dasti also.”

Case has been called out twice, however, no one appears for the respondent. On 29.09.2021, respondent had entered appearance in person and prayed for a short adjournment. Hence, the matter was adjourned to 11.10.2021 i.e today. Neither the respondent is present in person nor is represented.

Since the facts noticed in the order dated 03.09.2021 remain uncontroverted, the transfer application is allowed. It is directed that the proceedings in the petition filed under Section 25 of the Guardian & Wards Act, titled as “Amritpal Singh vs. Gurmeet Kaur”, pending in the Court of Principal Judge, Family Court, Kharar, District SAS Nagar (Mohali), be transferred to the Court of competent jurisdiction at Mansa. 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, Mansa on 03.11.2021, who would 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.

11.10.2021

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE