

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

TA-823-2021

Date of decision: 13.10.2021

Pavneet Kaur

...Petitioner

Versus

Amritbir Singh

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.N.S.Dadwal, Advocate for the petitioner
 Mr. Prateek Sodhi, Advocate for the respondent

ANIL KSHETARPAL, J (Oral)

While issuing notice of motion on 08.09.2021, 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 13 of the Hindu Marriage Act, 1955, bearing case No.HMA/772/2021, titled as “Amritbir Singh vs. Pavneet Kaur”, pending in the Court of Principal Judge, Family Court, Amritsar, to the Court of competent jurisdiction at Jagraon, District Ludhiana.

The petitioner claims that she got married to the respondent on 06.07.2019. She claims that presently, she is residing with her parents at Jagraon and the distance between Amritsar and Jagraon is more than 136 Kms. The petitioner further claims that she cannot properly defend the petition at Amritsar.

The learned counsel representing the petitioner contends that the petitioner's father, aged about 70 years is bedridden and her mother is working as Aanganwari worker. He places reliance on the pendency of a petition under Section 125 Cr.P.C. at Jagraon, District Ludhiana. The learned counsel contends that it will be very difficult for the petitioner to travel on each date of hearing.

Notice of motion for 08.10.2021.

The liberty is granted to the petitioner to serve the respondent through his counsel Sh. Saurabh Nanda, District Courts, Amritsar.

Dasti also.”

Reply to the transfer application has been filed and it has been brought to the notice of the Court that the petitioner is already defending proceedings in a civil suit at Amritsar.

Keeping in view the facts noticed in the order dated 08.09.2021, the transfer application is allowed. It is directed that the proceedings in the petition filed under Section 13 of the Hindu Marriage Act, 1955, bearing case No.HMA/772/2021, titled as “Amritbir Singh vs. Pavneet Kaur”, pending in the Court of Principal Judge, Family Court, Amritsar, be transferred to the Court of competent jurisdiction at Jagraon, District Ludhiana. 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 Family Court, Jagraon, on 09.11.2021.

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

13.10.2021

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE