

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

ASHOK KUMAR
2021.10.14 10:38
I attest to the accuracy and
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TA-841-2021

Date of decision: 12.10.2021

KULWINDER KAUR

..Petitioner

Versus

KULWANT SINGH

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Nagar Singh, Advocate for the petitioner.

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 counsel in the trial Court. However, he remains unrepresented.

On 13.09.2021, 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/564/2021, titled as “Kulwant Singh vs. Kulwinder Kaur”, pending in the Court of Principal Judge, Family Court, Ludhiana, to the Court of competent jurisdiction at Barnala.

The petitioner claims that she got married to the respondent on 27.01.2019 and they have been blessed with a female child. She claims that presently, she is residing with her aged parents at Barnala and the distance between Barnala and Ludhiana is more than 75 Kms. The petitioner further claims that she cannot properly defend the petition at Ludhiana.

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

- (i) Complaint under the Domestic Violence Act, 2005.
- (ii) 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 12.10.2021.

The liberty is granted to the petitioner to serve the respondent through his counsel Sh. Jaspreet Singh, at District Courts, Ludhiana.

Dasti also.”

As the respondent has not entered appearance, the facts noticed

in the order dated 13.09.2021 remain uncontroverted, hence, the petition is allowed.

The petition filed under Section 9 of the Hindu Marriage Act, 1955, bearing case No.HMA/564/2021, titled as “Kulwant Singh vs. Kulwinder Kaur”, pending in the Family Court, Ludhiana, is ordered to be transferred to the Court of competent jurisdiction at Barnala.

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 03.11.2021.

12.10.2021

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)**JUDGE**