

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

TA No.899 of 2021(O&M)

Date of Decision: 01.11.2021

Harpreet Kaur

....Petitioner

VERSUS

Inderjit Singh

...Respondent

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. J.S.Mundi, Advocate for the petitioner.

Mr. B.R.Rana, Advocate for the respondent.

ALKA SARIN, J. (Oral)

Heard through video conferencing.

The present petition has been filed by the petitioner-wife seeking transfer of the petition filed by the respondent-husband under Section 13 of the Hindu Marriage Act, 1955 bearing HMA No.353 of 2021 titled as "*Inderjit Singh Vs. Harpreet Kaur*" pending before the Court of Principal Judge, Family Court, Moga to the Court of competent jurisdiction at Barnala.

Learned counsel for the petitioner would contend that presently the petitioner is residing with her parents at Barnala and that she has to travel a distance of 70 kms in order to attend the proceedings before the Family Court, Moga. It is further the contention of learned counsel for the petitioner that two cases filed by the petitioner under Section 125 CrPc and Section 12 of the Domestic Violence Act, 2005, respectively, are already pending in District Courts at Barnala.

Learned counsel for the respondent has contended that the distance is hardly 70 kms and it is not difficult for the petitioner to travel to

the Family Court, Moga and in any case she is not required to be present there on each and every date.

I have heard learned counsel for the parties.

In view of the above and keeping in mind the fact that the petitioner has to travel 70 kms to the Family Court, Ludhiana and two cases filed by her under Section 125 CrPc and Section 12 of the Domestic Violence Act, 2005, respectively, are already pending in the District Court at Barnala, I deem it appropriate to allow the present petition and to transfer the petition filed by the respondent-husband under Section 13 of the Hindu Marriage Act, 1955 bearing HMA No.353 of 2021 titled as “*Inderjit Singh Vs. Harpreet Kaur*” pending before the Court of Principal Judge, Family Court, Moga to the Court of competent jurisdiction at Barnala.

The records of the case shall be sent by the concerned Court to the Court of learned District Judge, Barnala and the parties shall appear there on 07.01.2022 at 10.00 a.m.

The present petition is disposed off in the above terms.

November 01, 2021
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(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO