

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

TA-945-2021 (O&M)

Date of decision : 15.11.2021

Jaspreet Kaur

.....Petitioner(s)

Versus

Shaaratbir Singh

.....Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Saurabh Arora, Advocate for the petitioner.

Mr. R.K. Arya, Advocate for the respondent.

ALKA SARIN, J. (ORAL)

The present petition has been filed under Section 24 of the Code of Civil Procedure, 1908 by the petitioner-wife seeking transfer of the petition i.e. HMA/100/2021 titled as “Shaaratbir Singh Vs. Jaspreet Kaur” filed by the respondent-husband under Section 9 of the Hindu Marriage Act, 1955 (for short the 'HM Act') pending in the Court of Principal Judge, Family Court Camp at Batala, District Gurdaspur to the Court of competent jurisdiction at S.A.S. Nagar (Mohali).

Learned counsel for the petitioner would contend that the petitioner was married with the respondent on 02.04.2017 at Chandigarh and presently is not in a position to travel approximately a distance of 250 Kms (one way) to the Family Court, Camp at Batala, District Gurdaspur on each date of hearing in order to defend the Court proceedings. She is residing with her parents at S.A.S. Nagar (Mohali).

Learned counsel for the respondent has vehemently opposed the transfer of the case. However, he is not in a position to deny the fact that the distance between SAS Nagar (Mohali) and the Court concerned at Batala, District Gurdaspur is about 250 kms one way.

Heard learned counsel for the parties.

In the present case, admittedly, the petitioner is residing at S.A.S. Nagar (Mohali) with her parents and the distance between the place of her residence and the Court concerned at Batala, District Gurdaspur is approximately 500 Kms (to and fro).

Keeping in view the totality of the above circumstances, I deem this to be a fit case for transfer of the petition filed by the respondent-husband i.e. HMA/100/2021 titled as “Shaaratbir Singh Vs. Jaspreet Kaur”, under Section 9 of the HM Act pending in the Family Court, Camp at Batala, District Gurdaspur to the Court of competent jurisdiction at S.A.S. Nagar (Mohali).

The records of the case shall be sent by the concerned Court to the Court of the learned District Judge, S.A.S. Nagar (Mohali) and the parties shall appear there on 19.01.2022 at 10.00 a.m.

The present petition is disposed off in the above terms.

15.11.2021
Yogesh Sharma

(ALKA SARIN)
JUDGE

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