

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

ASHOK KUMAR
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TA-572-2020 (O&M)

Date of decision: 27.09.2021

SUKHJEET KAUR

..Petitioner

Versus

DALJIT SINGH PANDHER

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Gourave Bhayyia Gilhotra, Advocate for the petitioner.
Mr. Shamsheer S. Gill, Advocate for the respondent.

ANIL KSHETARPAL, J (Oral)

The hearing of the case was held through video conferencing on account of restricted functioning of the Courts.

Through this application, the petitioner prays for transfer of the proceedings bearing No.HMA-69/2020 (Daljeet Singh Pandher vs Sukhjeet Kaur) pending before the Principal Judge, Family Court, Payal, District Ludhiana, to the Court of competent jurisdiction at Chandigarh.

The respondent has filed an application (CM-5198-CII-2021) for placing on record a copy of the settlement/agreement dated 25.09.2019, the same is allowed and Annexures R1 to R4 are taken on record. It has been asserted that before the Mediation and Conciliation Center of this Court, the parties had settled their dispute and agreed to file a petition under Section 13B of the Hindu Marriage Act, 1955, for getting a decree of divorce by mutual consent. It has been brought to the notice of the Court that a petition under Section 13B was filed, however, the same was dismissed as the petitioner did not come forward to make a statement.

It is not in dispute that the applicant herself had filed a petition under Section 125 Cr.P.C. at the Courts located in Payal.

The distance between Ludhiana and Chandigarh is less than 100 kms. The petitioner can always appear through video conferencing. Hence, no ground to transfer the petition is made out.

Dismissed.

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

27.09.2021

ashok

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)

JUDGE