

TA-309-2022

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

**TA-309-2022 (O&M)
Date of decision: 20.07.2022**

Mandeep Kaur

....Petitioner

Vs.

Rajinder Kumar

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Balram Prashar, Advocate
for the petitioner.

Mr. Arvind Kashyap, Advocate
for the respondent.

ARVIND SINGH SANGWAN, J. (Oral)

CM-8480-CII-2022

For the reasons stated in the application, same is allowed and
reply on behalf of the respondent is taken on record.

CM stands disposed of.

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Prayer in this petition is for transfer of the petition filed by the
respondent-husband under Section 9 of the Hindu Marriage Act, pending

before the Family Court, SAS Nagar (Mohali) to the competent Court of jurisdiction at Ludhiana.

Learned counsel for the petitioner submits that marriage between the parties was solemnized on 18.01.2001 and a boy namely Ishaan Bhagat was born on 30.11.2003 and a girl namely Vanshika was born on 05.06.2005.

It is admitted case of the parties that children are living in care and custody of the respondent-husband and one of the child is studying in IIT, Jabalpur and residing in hostel. The petitioner and the respondent are serving as Superintending Engineer (Class-I officer) in Punjab State Power Corporation Ltd. and because of their service, they are posted at different places.

Reply on behalf of the respondent has been filed, in which it is stated that the petitioner remained posted at Patiala since October 2019 and the respondent was also posted there till 2019 and now he has been transferred to Pathankot. It is further stated that since the petitioner-wife, after 20 years of marriage, has parted from the matrimonial alliance, the respondent-husband filed a divorce petition at Ludhiana, where the petitioner-wife can appear and she has no financial constraints to appear before the trial Court, as she is Class-I officer.

After hearing learned counsel for the parties, I find no ground to transfer the petition filed by the respondent-husband under Section 9 of

the Hindu Marriage Act, from the Family Court, SAS Nagar (Mohali) to the competent Court of jurisdiction at Ludhiana.

Accordingly, the present petition is dismissed.

[ARVIND SINGH SANGWAN]
JUDGE

20.07.2022

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Whether speaking/reasoned : Yes/No

Whether reportable: Yes/No