

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

**TA No. 601 of 2022
Date of decision: 08.07.2022**

Satveer Kaur

...Applicant

Versus

Vakeel Singh

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Ashish Grewal, Advocate
for the applicant.

ARVIND SINGH SANGWAN, J. (Oral)

Prayer in this application is for transfer of petition filed by the respondent-husband under Section 13 of the Hindu Marriage Act, 1955 (*for short 'HMA'*), bearing DMC/454/2021, titled as ***Vakeel Singh vs. Satveer Kaur***, which is pending in the Court of Principal Judge, Family Court, Abohar to a competent Court of law at Bathinda.

Learned counsel for the applicant, at the very outset, submits that the applicant has filed a petition for grant of maintenance under Section 125 Cr.P.C. at Bathinda 07.06.2022 and another petition under Section 9 of the HMA for the restitution of conjugal rights and both the cases are pending. It is further submitted that the respondent-husband, as a counter-blast to the aforesaid cases, filed by the applicant-wfie, has filed the aforesaid petition under Section 13 of the HMA at Abohar, District Fazilka.

Learned counsel for the applicant further submits that the applicant has no sufficient source of income; she cannot engage a lawyer and she cannot travel to & fro from Abohar to contest the aforesaid case.

After hearing learned counsel for the applicant and perusing the record, the present application is allowed.

The petition filed by the respondent-husband under Section 13 of the HMA, bearing DMC/454/2021, titled as ***Vakeel Singh vs. Satveer Kaur***, which is pending in the Court of Principal Judge, Family Court, Abohar is directed to be transferred to a competent Court of law at Bathinda.

Liberty is granted to respondent-husband to revive this application in case he wants to contest the same, however, this will be subject to a condition that at the first instance, he will clear all the outstanding arrears, if any, in terms of any order passed in the proceedings under Section 125 Cr.P.C. and will also bring a demand draft of Rs. 25,000/- in favour of the applicant-wife towards the litigation expenses, in case she appears before the Court at Abohar.

08.07.2022

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No