

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

TA-572-2019

Date of decision: 30.03.2022

Sonamdeep

.....Petitioner

versus

Simranjeet Singh

.....Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Atul Goyal, Advocate
for the petitioner.

Mr. Dinesh Nagar, Advocate
for the respondent.

FATEH DEEP SINGH, J. (ORAL)

The applicant/petitioner-Sonamdeep entered into a wedlock with respondent-Simranjeet Singh on 28.08.2013 out of which the couple gave birth to a female child on 26.07.2014. It is subsequent thereto on account of matrimonial dispute, the parties filed cases against each other including an application under Section 125 Cr.P.C. seeking maintenance by the wife and the husband has invoked the jurisdiction of the concerned Court under

Section 13 of the Hindu Marriage Act seeking divorce. With this in background, the present application under Section 24 of the CPC has been filed by the wife seeking transfer of the divorce petition from the Court of learned District and Sessions Judge, Patiala to competent Court at Ludhiana.

Heard counsel for the parties and perused the records.

The wife has filed maintenance proceedings in a Court at Ludhiana where she resides and the husband has filed divorce petition in a Court at Patiala. The only grievance of the wife is that she has to travel to Patiala to contest the litigation and at the same time has to look after the minor child. The case which the applicant/petitioner intends to get transferred is a civil case where through presence of the petitioner at each and every date is not necessary. She can even instruct her counsel to do the needful. What one can decipher that it could be purely by way of revenge and vengeance by the wife. The proceedings have got about and there appears to be religious beliefs of the couple which is further complicating their matrimonial dispute. The husband himself claims that the wife is suffering from psychiatric disorder and, therefore, is certainly a strengthening feature for the claim of the wife that the matter be transferred from Patiala to Ludhiana. More so, in light of the small

kid that she is looking after is another compelling circumstance to allow the claim of the wife. In light of the same, the present application is allowed. The case titled as 'Simranjeet Singh versus Sonamdeep' is ordered to be transferred from Patiala to Ludhiana Sessions Division.

The matter be put up before the learned District and Sessions Judge/Principal Judge, Ludhiana who may either keep the matter with himself or entrust to some other Court of competent jurisdiction.

Disposed off.

30.03.2022

Neha

**(FATEH DEEP SINGH)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No