

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

239

TA-894-2021 (O&M)
Date of Order: 15.02.2022

INDU KALSI

..Petitioner

Versus

SANDEEP SINGH

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Munish Gupta, Advocate for the petitioner.
None for the respondent.

ANIL KSHETARPAL, J(Oral)

While issuing notice of motion on 22.09.2021, the following
order was passed:-

“This petition has been filed by the wife seeking the transfer of the petition filed under Section 13 of the Hindu Marriage Act, 1955, bearing case No.HMA/459/2019, titled as “Sandeep Singh vs. Indu Kalsi”, pending in the Court of Principal Judge, Family Court, Rupnagar, to the Court of competent jurisdiction at Khanna, District Ludhiana.

The petitioner claims that she got married to the respondent on 28.02.2009 and they have been blessed with a female child. She claims that presently, she is residing with her parents at Khanna, District Ludhiana and the distance between Rupnagar and Khanna, District Ludhiana, is more than 80 Kms. The petitioner further claims that she cannot properly defend the petition at Rupnagar.

The learned counsel representing the petitioner contends that the petitioner is physically handicapped to the extent of 45%. He further contends that the mother of the respondent(husband) filed a petition under the Domestic Violence Act, 2005, against the petitioner. Thereafter, the petitioner approached this Court for transfer of the petition vide CRM-M2533 of 2016, which was allowed by this Court on 21.11.2016.

The learned counsel representing the petitioner places reliance on the pendency of the petition filed under Section 125 Cr.P.C., at Khanna, District Ludhiana. The learned

counsel contends that it will be very difficult for the petitioner to travel on each date of hearing.

Notice of motion for 28.10.2021.

The liberty is granted to the petitioner to serve the respondent through his counsel Sh. Vishal Vashisht, at Civil Courts, Anandpur Sahib, District Rupnagar.

Dasti also.”

Learned counsel for the respondent did not attend the hearing.

The facts noticed in the order dated 22.09.2021 remain uncontroverted. No reply to the application has been filed. Hence, the application is allowed. The proceedings of the case bearing No.HMA-459-2019 (Sandeep Singh vs. Indu Kalsi) pending in the Family Court, Rupnagar, is ordered to be transferred to the Court of competent jurisdiction at Khanna, District Ludhiana.

The transferor Court is requested to remit the case file to the transferee Court forthwith.

The parties through their counsel are directed to appear before the transferee Court on 02.03.2022.

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

February 15th, 2022

ashok

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No