

(In virtual Court)

CWP No.20159 of 2021

Date of Decision: 17.02.2022

Pawanpreet Kaur and another

.....Petitioners

Versus

Sub Divisional Magistrate and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWATPresent: Mr. Aayush Gupta, Advocate
for the petitioners.

None for respondent No.2.

RAJBIR SEHRAWAT, J. (ORAL)

This is a petition filed under Articles 226/227 of the Constitution of India seeking issuance of a writ of mandamus for transferring the petition under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (Annexure P-6) pending before respondent No.1 to the competent Court of Sub Divisional Magistrate at Ludhiana.

Despite service, respondent No.2 had not put in appearance. Therefore, he was proceeded against ex-parte; vide order dated 07.12.2021.

The counsel for the petitioners has submitted that there are two litigations pending between the same parties in the form of petition involved in this case and a civil suit. That civil suit has been ordered to be transferred to the competent Court at Ludhiana. Hence, it is submitted that the petition involved in the present case may also be ordered to be transferred from Sub

Divisional Magistrate, Amloh to the competent Tribunal at Ludhiana. Since, there is no appearance from the side of respondent No.2. Therefore, he does not seem to have any objection, if the petition involved in the present case is ordered to be transferred from Sub Divisional Magistrate, Amloh to the competent Court at Ludhiana.

In view of the above, it is ordered that the petition filed under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 by respondent No.2 i.e. ***Bhinder Singh @ Bhupinder Singh Versus Pawanpreet Kaur and another*** be transferred from Sub Divisional Magistrate, Amloh to the competent Tribunal at Ludhiana.

The District Magistrate, Fatehgarh Sahib is directed to ensure transfer of all the relevant records of the case titled as ***Bhinder Singh @ Bhupinder Singh Versus Pawanpreet Kaur and another*** to the District Magistrate, Ludhiana for further allocation to the competent Tribunal at Ludhiana.

Parties with their respective counsel are directed to appear before the concerned Tribunal at Ludhiana, on 10.03.2022.

Disposed of.

(RAJBIR SEHRAWAT)
JUDGE

17.02.2022
sandeep

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No