

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

205

TA-297-2023(O&M)
Date of Decision: 01.12.2023

Jaspreet Kaur

....Applicant/Petitioner

Versus

Gagandeep Singh

....Respondent

CORAM:HON'BLE MR. JUSTICE SANJAY VASHISTH

Present: Mr. Harmeet Singh, Advocate
for the applicant/ petitioner.

Mr. Rajesh Kumar Kashyap, Advocate for
Ms. Amandeep Kaur, Advocate
for the respondent.

SANJAY VASHISTH, J.(Oral)

Fresh power of attorney on behalf of the
applicant/petitioner has been filed in the Court today. The same is
taken on record. Registry is directed to tag the same at appropriate
place in the paper-book.

1. Present transfer application, under Section 24 CPC, has
been filed by the petitioner-wife, for seeking transfer of the petition,
bearing No. HMA/2055/2021, filed by the respondent–husband, under
Section 13 of the Hindu Marriage Act, 1955, titled as “Gagandeep
Singh Vs. Jaspreet Kaur”, presently pending in the Court of learned

Additional Principal Judge, Family Court, Distirct Amritsar, to any Court of competent jurisdiction at Ludhiana.

2. At the very outset, learned counsel for the respondent submits that petition under Section 13 of the Hindu Marriage Act filed by respondent-husband, which is sought to be transferred, has already been adjudicated on 01.11.2023, therefore, he submits that the present petition has been rendered infructuous.

3. Learned counsel for the applicant submits that infact the ex parte proceedings were conducted against the applicant and after 01.11.2023 another application for setting aside the ex parte order has been filed, which is pending adjudication. He further submits that to enable the applicant-petitioner to seek transfer of the application for setting aside of ex parte proceedings or petition under Section 13 filed by respondent husband as the case may be, he requires to file a fresh transfer petition, therefore, seeks permission to withdraw the present petition with liberty to file a fresh.

4. In view of the above, the present petition is dismissed as withdrawn with the liberty aforesaid.

December 01, 2023
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[SANJAY VASHISTH]
JUDGE

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no