

2023:PHHC:088192

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

TA No. 558 of 2023 (O&M)

Date of decision : 14.7.2023

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Sukhpal Kaur

.....Applicant

vs.

Gurjit Singh

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. Arshdeep Singh Brar, Advocate
for the applicant

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H. S. Madaan, J. (Oral)

By way of filing the present application, applicant – Sukhpal Kaur w/o respondent – Gurjit Singh, seeks transfer of petition under Section 9 of the Hindu Marriage Act, 1955, filed by her husband against her, pending in the Court of Additional Principal Judge, Family Court, Jagraon, titled as 'Gurjit Singh vs. Sukhpal Kaur', to the Court of Additional Principal Judge, Family Court, Moga.

The reasons given for transfer are that the applicant alongwith son of the parties, namely, Gurnoor Singh, aged more than 11 years, is residing with parents of the applicant at Village Rauli, Tehsil and District Moga. The second reason given, is that distance between Moga and Jagraon is about 35-40 kms and it is difficult for the applicant to travel that distance to attend the dates of hearing in the Courts at Jagraon, spending a considerable amount, since the

applicant is dependent upon her parents for meeting her needs.

Notice of the application was given to the respondent, who was duly served through his mother, but has not put in appearance.

I have heard learned counsel for the applicant, besides going through the record and I find sufficient reasons to accept the application.

The present application is accordingly allowed and the petition under Section 9 of the Hindu Marriage Act, titled as 'Gurjit Singh vs. Sukhpal Kaur', pending in the Court of Additional Principal Judge, Family Court, Jagraon, is ordered to be withdrawn from that Court and transferred to the Court of Principal Judge, Family Court, Moga, for disposal in accordance with law. Parties are directed to appear there on 14.8.2023.

The trial Court at Jagraon would send the record of the case to the transferee Court at the earliest.

Copies of order be sent to both the Courts for information and compliance, through their respective District and Sessions Judges.

14.7.2023
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(H.S. Madaan)
Judge

Whether speaking / reasoned Yes / No

Whether reportable Yes / No