

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

Transfer Application No. 1214 of 2021

Date of decision:-21.03.2023

Prabhjeet Kaur

.....Petitioner

Vs

Hanspal

.....Respondent

CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA

Present:- Mr. Amit Arora, Advocate
for the petitioner.

Mr. Ankit Bishnoi, Advocate
for the respondent.

NIDHI GUPTA, J.(Oral)

1. Prayer in this petition filed by petitioner-wife is for transfer of the petition filed by respondent-husband under Section 12 read with Section 5 of the Hindu Marriage Act,1955 (for short 'the Act') titled "Hanspal vs. Prabhjeet Kaur" pending in the Court of Principal Judge, Family Court, Sirsa to a Court of competent jurisdiction at Tarn Taran.

2. It is *inter alia* submitted by learned counsel for the respondent that he has no objection if the present case is allowed and the petition under Section 12 read with Section 5 of the Act is transferred to Patti, District Tarn Taran. It is further submitted by learned counsel for the respondent that the petitioner's petition under Section 125 Cr.P.C. is already pending there and the respondent is

regularly appearing there. It is further submitted that the dispute between the parties is likely to settle by way of compromise, regarding which talks are going on.

3. In view of the above, the present petition is allowed subject to the following conditions:-

- a) The petition filed by respondent husband under Section 12 read with Section 5 of Act, titled as 'Hanspal vs. Prabhjeet Kaur', pending in the Court of Principal Judge, Family Court, Sirsa is transferred to a Court of competent jurisdiction at Tarn Taran.
- b) The Id. District Judge, Sirsa is directed to transfer complete record pertaining to the aforesaid case to District Judge, Tarn Taran.
- c) The parties are directed to appear before the District & Sessions Judge, Tarn Taran on 25.5.2023.
- d) The District Judge, Tarn Taran will assign the said petition to the Court of competent jurisdiction.

4. The concerned Court at Tarn Taran will make all endeavour to refer the case before the Mediation and Conciliation Centre for exploring the possibility of some amicable settlement between the parties.

5. The Court concerned, where the litigation is pending between the parties, will accommodate them with one date in one calendar month.

6. I am also supported by the decisions rendered by a Co-ordinate Bench of this Court in **TA No. 1315/2022, Rohini Arora v Nitin Talwar; TA No. 1322 of 2022, Jaswinder Kaur v**

**Gurvinderjeet Singh; and TA No. 1323 of 2022, Usha Rani v
Karmajit Singh.**

Disposed of.

Pending application(s), if any, stands disposed of.

March 21, 2023
Vijay Asija

**(NIDHI GUPTA)
JUDGE**

Whether speaking/reasoned	YES/NO
Whether Reportable	YES/NO