

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

TA No.637 of 2023

Dated: 31.01.2024

Varinder Kaur

.....Petitioner

Vs

Simarpreet Singh

.....Respondent

CORAM: HON'BLE MS. JUSTICE KIRTI SINGH

Present: Mr. Pawandeep Singh, Advocate
for the petitioner.

Mr.Ashutosh Gupta, Advocate
for the respondent.

KIRTI SINGH, J.(Oral)

Prayer in the present petition is for transfer of the petition filed under Section 13 of the Hindu Marriage Act, 1955 pending in the Court of Principal Judge, Family Court Patiala to the competent Court of jurisdiction at Mohali.

2. Learned counsel for the petitioner has submitted that the petitioner is residing at her parental home at Mohali and the petition filed by her under Section 9 of the Hindu Marriage Act is also pending before the Family Court, Mohali. Petitioner is facing great difficulty in prosecuting the case as the distance between both the courts is approximately 70 kms.

3. Learned counsel for the respondent has submitted that the respondent has no objection if the present petition is transferred from the Family Court Patiala to Family Court Mohali.

4. In view of the judgment of Hon'ble Supreme Court passed in **N.C.V. Aishwarya vs. A.S.Saravana Karthik Sha, 2022 SCC OnLine 1190**, this Court deem it appropriate to allow the present petition, subject to the following conditions:-

1. The petition filed under Section 13 of the Hindu Marriage Act, pending before the Family Court, Patiala will be transferred to the competent Court of jurisdiction at Mohali.
 2. The District Judge, Mohali, will assign the said petition to the competent Court of jurisdiction.
 3. The Family Court, Patiala is directed to transfer all the record pertaining to the aforesaid case to District Judge, Mohali
 4. The parties are directed to appear before the trial Court, Mohali within a period of 01 month from today.
5. Petition stands disposed of accordingly.

(KIRTI SINGH)
JUDGE

January 31, 2024

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