

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

TA No. 396 of 2017(O&M)

Date of decision: 8.8.2017

Raj Kumari

....Applicant

VERSUS

Ajay Kumar

.....Respondent

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. P.S. Punia, Advocate for the applicant.

REKHA MITTAL, J.(Oral)

Raj Kumari, the applicant / wife, prays for transfer of HMA/189/2016 titled Ajay Kumar Vs. Raj Kumari filed under Section 13 of the Hindu Marriage Act, 1955 by the respondent - husband from the Court at Muktsar to a Court of competent jurisdiction at Ludhiana.

Counsel for the applicant has submitted that a complaint under Section 12 of the Protection of Women from Domestic Violence Act, 2005 filed by the applicant, prior to the petition under Section 13 of the Hindu Marriage Act, 1955, is pending before the Court of Judicial Magistrate, Ludhiana. It is further submitted that the applicant has no source of income and it is difficult for her to defend the proceedings for divorce at Muktsar which is at a distance of approximately 150 KMs from Ludhiana.

The respondent has failed to cause appearance despite service, therefore, there is no contest to plea of the applicant for transfer of the case.

In view of the above, in the interest of justice, HMA case No.189 of 2016 is withdrawn from the Court of District Judge, Muktsar and is transferred to the Court of District Judge, Ludhiana. The District Judge, Ludhiana may keep the petition on its board or assign it to a Court of competent jurisdiction at Ludhiana.

Disposed of accordingly.

AUGUST 8, 2017
'D. Gulati'

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no