

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

TA No. 102 of 2018(O&M)

Date of decision:27.09.2018

Smt. Anu

.. Petitioner

vs.

Siddarath Yadav and anr.

.. Respondents

Coram: Hon'ble Mr. Justice Harinder Singh Sidhu

Present:- Mr. Jai Singh Yadav, Advocate
for the petitioner.

Mr.Prikshit Yadav, Advocate
for the respondents.

Harinder Singh Sidhu, J.

The petitioner-wife has filed the present petition under Section 24 of the Code of Civil Procedure for transfer of case under Section 13(1) (ia) (ib) of the Hindu Marriage Act, 1955, titled as 'Siddarath Yadav vs. Smt. Anu and another", filed by respondent No.1, which is pending in the Court of learned District Judge, Family Court, Gurugram to a Court of competent jurisdiction at Rewari.

The marriage between the petitioner and respondent no.1 was solemnized on 02.12.2015. They have no child.

The case of the petitioner is that from the very beginning the relations between the petitioner and the respondent were not cordial. The petitioner was tortured and harassed by respondent No.1 and his family members for the demand of dowry and ultimately on 20.03.2016 she was thrown out of her matrimonial home. Since then, she is living with her parents at village Pali, District Rewari. The petitioner is a student of M.Sc..

She has no independent source of income and is totally dependent upon her

parents. A petition under section 125 Cr.P.C. and a complaint under Section 12 of the Protection of Women from Domestic Violence Act, 2005 have been filed by the petitioner against respondent No.1 and his family members at Rewari.

It is further stated that even the place of residence of respondent no.1 is not more than 35 KM from the Courts at Rewari.

Considering the facts and circumstances of the case, the transfer application is allowed. The petition under Section 13(1)(ia) (ib) of the Hindu Marriage Act, 1955, titled as 'Siddarath Yadav vs. Smt. Anu and another', filed by respondent No.1, which is pending in the Court of learned District Judge, Family Court, Gurugram is withdrawn from the said Court and transferred to Rewari. The learned District Judge Rewari may assign it to a Court of competent jurisdiction.

27.09.2018
dinesh

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned
Whether Reportable:

Yes
Yes/No