

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

TA No. 1024 of 2018 (O&M)

Date of decision : 18.12.2018

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Ginni

.....Applicant

vs.

Vikram Suri

.....Respondent

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

Present: Mr. Sharad Mehra, Advocate for the applicant.

None for the respondent.

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H. S. Madaan, J. (Oral)

Applicant – Ginni, aged about 39 years, estranged wife of Vikram Suri, presently residing with her parents at Amritsar, has filed the instant application under Section 24 CPC, seeking transfer of divorce petition, filed by her husband, who is respondent in the present application, against her, having title 'Vikram Suri vs. Ginni' pending in the Court of Ms. Sanjeeta, Additional District Judge Ludhiana, to a Court of competent jurisdiction at Amritsar.

As per averments in the application, marriage between the

parties was solemnized on 25.8.2013. Thereafter, they started residing together as husband and wife. However, the respondent treated the applicant with cruelty. Resultantly, she was forced to leave the matrimonial home and start residing with her parents at Amritsar. Earlier the respondent had filed a petition under Section 9 of the Hindu Marriage Act in the Court of District Judge at Ludhiana. However, the applicant had moved an application for transfer of that petition. Since counsel for respondent had made a statement that he did not want to pursue the petition, the application was not pressed. Now he has filed a divorce petition in the Court of Additional District Judge, Ludhiana. The applicant being a young woman, it is difficult for her to travel from Amritsar to Ludhiana, covering a distance of 160 kms on one side, to attend the dates of hearing there. Furthermore, two more cases between the spouses are pending in the Court at Amritsar. Therefore, the application be accepted.

Notice of the application was given to the respondent, who as per the office report, has been served through his brother, but he has not appeared to offer contest.

I have heard learned counsel for the applicant, besides going through the record.

Keeping in view the contentions in the application and submissions made by learned counsel for the applicant, I find that ends of justice demand that the application be allowed.

Accordingly, the application is accepted. The petition in question pending in the court of Additional District Judge, Ludhiana, is withdrawn from that Court and transferred to the Court of District

Judge, Amritsar, who may retain the case on his Board or assign it to any other Court of competent jurisdiction for disposal in accordance with law. Parties through counsel are directed to appear there on 23.1.2019.

A copy of the order be sent to the Courts concerned, for information and necessary compliance.

18.12.2018
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(H.S. Madaan)
Judge

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