

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

T.A. No. 1080 of 2018

DATE OF DECISION :- December 07, 2018

Manju

...Applicant

Versus

Arun Sharma

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. Shiva Khurmi, Advocate for the applicant.

As per case of applicant Manju, she was married with respondent Arun Sharma on 21.6.2006. Thereafter they started residing together at Panipat. Marriage was consummated and she gave birth to two children i.e. a daughter Yukti on 1.11.2017 and a son namely Aayan on 26.7.2010. Unfortunately, differences arose between the spouses and applicant had to leave the matrimonial home along with two children. She is putting up with her parents at Rohtak. Her husband Arun Sharma has filed a petition for Restitution of Conjugal Rights in terms of Section 9 of the Hindu Marriage Act against her having title 'Arun Sharma versus Manju' which is pending in the Court of Ms. Harshali Chowdhary, Chief Judicial Magistrate, Panipat. She being a young woman, required to take care of two minor children having no source of income, It would be difficult for her to go to Panipat to attend the dates of hearing there covering a distance of more than 80 kms, as such the petition in question be transferred to the Court of competent jurisdiction at Rohtak.

Notice of application was given to the respondent, who as per office

report has been duly served but he has not opted to appear and offer a contest.

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

In view of the contentions raised in the application and submissions made by learned counsel for the applicant, I find ends of justice demand that application be accepted. The same is accordingly allowed. The petition in question is ordered to be withdrawn from the Court of Chief Judicial Magistrate, Panipat and transferred to the Court of District Judge, Rohtak for disposal in accordance with law. Learned District Judge, Rohtak may retain the petition on his Board or assign it to any other Court of competent jurisdiction.

The parties through their counsel are directed to appear in the transferee Court on 18.1.2019. Copies of orders be sent to the Court of Chief Judicial Magistrate, Panipat as well as to the Court of District Judge, Rohtak for information and necessary compliance.

(H.S. MADAAN)
JUDGE

December 07, 2018
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No