

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

TA No.770 of 2017

Date of decision: 10.10.2018

Sunita

.. Petitioner

vs.

Raman Kumar

.. Respondent

Coram: Hon'ble Mr. Justice Harinder Singh Sidhu

Present:- Mr. M.S. Kohli, Advocate for the petitioner.

None for the respondent.

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Harinder Singh Sidhu, J.

The petitioner-wife has filed this petition under Section 24 of the Code of Civil Procedure for transferring the petition under Section 13 of the Hindu Marriage Act, 1955 bearing HMA Case No.21-HMA dated 30.04.2016 titled as “Raman Kumar Vs. Sunita”, filed by the respondent-husband, which is pending in the Court of Ld. Additional District and Sessions Judge, Ludhiana to a Court of competent jurisdiction at Fazilka.

The marriage of the petitioner was solemnized with the respondent on 04.09.2014. They have no child from the marriage. It is the case of the petitioner that she has been harassed and humiliated by the respondent and his family members on account of dowry. She was thrown out of the matrimonial home on 10.10.2016. Since then she has been residing at Abohar.

The petitioner has filed a petition under Section 125 Cr.P.C. at Abohar. The respondent has filed the petition under Section 13 of the Hindu Marriage Act, 1955 at Ludhiana.

It is stated that the petitioner has no independent source of income and she is wholly dependent on her parents. It is difficult for her to attend the Court proceedings at Ludhiana, which is at a distance of about 200 Kms from her place of residence.

The respondent has been served. However, no one has appeared on his behalf.

Considering the aforesaid facts and circumstances, this petition is allowed.

The petition under Section 13 of the Hindu Marriage Act, 1955 bearing HMA Case No.21-HMA dated 30.04.2016 titled as “Raman Kumar Vs. Sunita”, filed by the respondent-husband, which is pending in the Court of Ld. Additional District and Sessions Judge, Ludhiana is withdrawn from that Court and transferred to Fazilka. The District Judge, Ferozepur may assign it to any competent Court.

10.10.2018	(Harinder Singh Sidhu)
Atul	Judge
Whether speaking/reasoned	Yes/No
Whether Reportable:	Yes/No