

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

TA No.284 of 2018
Date of decision: 16.10.2018

Ritu Tayal .. Petitioner

vs.

Sumit Goel .. Respondent

Coram: Hon'ble Mr. Justice Harinder Singh Sidhu

Present:- Mr. Sumit Sangwan, Advocate
for the petitioner.

Mr. Rohit Rana, Advocate
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(1) (i-a) and 13(1)(i-b) of the Hindu Marriage Act, 1955 (HMA-95/2018) titled as “Sumit Goel Vs. Ritu Tayal”, filed by the respondent-husband, which is pending in the Court of Ld. District Judge, Jhajjar, to a Court of competent jurisdiction at Bhiwani.

The marriage of the petitioner was solemnized with the respondent on 17.04.2009. A male child namely Ayush was born on 27.05.2010.

It is the case of the petitioner that she was treated with cruelty by the respondent and his family members, on account of which, she had no option but to leave the matrimonial home along with her minor son on 30.06.2011. Since then she is residing at her parental home at Bhiwani. Apart from the petitioner and her minor son, she has only one brother, who is a patient of Bone T.B. The parents of the petitioner have passed away some time back.

The petitioner has filed a petition under Section 125 Cr.P.C. for maintenance. Besides this, the petitioner has not initiated any proceeding against the respondent.

Thereafter, the respondent has filed the petition under Section 13(1) (i-a) and 13(1)(i-b) of the Hindu Marriage Act, 1955.

The petitioner has no independent source of income. She has not received any single penny from the respondent. It is difficult for her to attend the court proceedings at Jhajjar, which is at a distance of 68 Kms. from Bhiwani.

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

The petition under Section 13(1) (i-a) and 13(1)(i-b) of the Hindu Marriage Act, 1955 (HMA-95/2018) titled as “Sumit Goel Vs. Ritu Tayal”, filed by the respondent-husband, which is pending in the Court of Ld. District Judge, Jhajjar is withdrawn from that Court and transferred to Bhiwani. The District Judge, Bhiwani may assign it to any competent Court.

16.10.2018
Atul

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No