

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

TA No.318 of 2018(O&M)

Date of Decision: October 17, 2018

Manju Bala

...Petitioner

Versus

Mukesh Kumar

...Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

--

Present: - Mr.Preetwinder Singh Dhaliwal, Advocate
for the petitioner.

None for the respondent.

-

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 titled as “Mukesh Kumar vs. Manju Bala” bearing No.HMA/49/2018, which is pending in the Court of learned Additional District Judge, Sangrur to a Court of competent jurisdiction at Barnala.

The marriage of the petitioner with the respondent was solemnized on 12.9.2010. It is stated that though sufficient dowry was given to the respondent at the time of marriage, however, the respondent started treating her with cruelty and demanding more dowry. The petitioner was even beaten up by the respondent. Because of the cruelty and the harassment at the hands of the respondent, there was no option with the petitioner except to leave the matrimonial home. Thereafter, she is residing

at Barnala with her parents.

The petitioner filed a petition under Section 125 CrPC and a complaint under the Protection of Women from Domestic Violence Act, 2005, which are pending at Barnala. The respondent has filed the petition under Section 13 of the Hindu Marriage Act at Sangrur.

It is stated that the petitioner has no independent source of income. She is wholly dependant on her parents. She has also a minor child aged about 4 years who is residing with her. The parents of the petitioner are old and it is difficult for them to accompany the petitioner to courts at Sangrur to attend the hearing of the petition. Moreover, the petitioner also is also apprehensive about her safety, if she has to attend the court at Sangrur.

None appears for the respondent despite service. Even on the previous date, he remained un-represented.

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

The petition under Section 13 of the Hindu Marriage Act titled as “Mukesh Kumar vs. Manju Bala” bearing No.HMA/49/2018, which is pending in the Court of learned Additional District Judge, Sangrur is withdrawn from that Court and transferred to Barnala. The District Judge, Barnala may assign it to any competent Court.

October 17, 2018

gian

**(HARINDER SINGH SIDHU)
JUDGE**

Whether Speaking / Reasoned	Yes
Whether Reportable	Yes / No