

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

T.A. No. 415 of 2018

DATE OF DECISION :- December 11, 2018

Sushma

...Applicant

Versus

Harish Kumar

...Respondent

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

Present:- Mr. Yashveer Kharb, Advocate for the applicant.

By way of filing the present application, applicant Sushma, aged about 40 years is seeking transfer of divorce petition filed by her husband Harish Kumar, who is respondent in the present application against her having title 'Harish Kumar Vs. Sushma' pending in the Court of Additional District & Sessions Judge, Jind to the Court of competent jurisdiction at Rohtak.

According to the applicant, her marriage with the respondent which was performed on 25.4.2004 with great pomp and show could not work. The applicant had given birth to two sons from loins of respondent. Circumstances were so created by the respondent that applicant had to leave the matrimonial home along with the two minor sons of the parties and she had to fall back upon her parents residing at Rohtak. Her husband Harish Kumar has filed a divorce petition against her in the Court at Jind. On

account of the fact that she is a woman, who is taking care of two minor sons of the parties and distance between Jind and Rohtak is 70 kms on one side and applicant is not having any source of income, therefore, it is difficult for her to travel to Jind to attend date of hearing in the Court there. Therefore, her application be allowed.

Notice of the application was given to the respondent. As per office report, respondent has been duly served but has not opted to appear and offer a contest.

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

I am of view that the application calls for acceptance, the same is accordingly allowed. The petition in question is ordered to be withdrawn from the Court of Additional District & Sessions Judge, Jind and transferred to the Court of District Judge, Rohtak for disposal in accordance with law.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 Additional District & Sessions Judge, Jind as well as to the Court of District Judge, Rohtak for information and necessary compliance.

(H.S. MADAAN)
JUDGE

December 11, 2018

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No