

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

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TA No.474 of 2018 (O&M)
Date of decision : 24.09.2018

Babli Rani

... Petitioner

Versus

Sohan Lal

.... Respondent

CORAM: HON'BLE MR.JUSTICE HARINDER SINGH SIDHU

Present:- Mr.Ajit Pal Singh Guliani, Advocate
for the petitioner.
None for the respondent.

Harinder Singh Sidhu, J.

Petitioner (wife) has filed the present petition under Section 24 of the Code of Civil Procedure for transfer of the petition under Section 13 of the Hindu Marriage Act, 1955 titled as “Sohan Lal Vs. Babli Rani” filed by the respondent (husband) from the Court of Addl.District Judge, Ambala to Chandigarh.

It is stated that marriage between the petitioner and respondent was solemnized on 10.7.2011. A baby girl namely Sehaj was born to them on 13.10.2013. Presently, she is living in the care and custody of the respondent. It is the case of the petitioner that soon after the marriage, the respondent and his family members started harassing the petitioner and making illegal demand of dowry. She was beaten and abused at the hands of the respondent and his family members. Ultimately, in May, 2016, when the petitioner and her family members were unable to meet their illegal demand of dowry, they beat the petitioner. Thereafter, the petitioner was taken by her mother and brother to her parents house. Since then, she is living there. A panchayat was also convened but it failed to resolve the dispute.

The petitioner has filed a petition under Section 13(1)(ia) of the

Hindu Marriage Act on 25.7.2017 which is pending before Addl. District Judge, Chandigarh. Five month thereafter, respondent has filed the similar petition seeking divorce at Ambala. It is the case of the petitioner that she is unemployed and she is wholly dependent upon her widowed mother. It is difficult for the petitioner to attend the court proceedings at Ambala. Moreover, she has grave apprehension about her safety if she attends the proceedings at Ambala.

Respondent has been served but no one has put in appearance on behalf of the respondent. On the previous date also i.e. 13.9.2018, no one had appeared for the respondent.

Considering the facts and circumstance of the case, it is deemed appropriate that the petition under Section 13 of the Hindu Marriage Act, filed by the respondent be transferred from Anandpur Sahib to Patiala.

Accordingly, this petition is allowed. The petition under Section 13 of the Hindu Marriage Act, 1955 titled as "Sohan Lal Vs. Babli Rani" (HMA No. 937 of 2017) pending in the Court of Addl. District Judge, Ambala, is withdrawn from that court and transferred to Chandigarh. The learned District Judge, Chandigarh may assign it to a competent court.

(Harinder Singh Sidhu)
Judge

24.09.2018

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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No