

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

T.A. No. 541of 2018

DATE OF DECISION :- December 17, 2018

Kavita

...Applicant

Versus

Ravinder

...Respondent

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

Present:- Ms. Deepshikha Chauhan, Advocate for the applicant.

Mr. Aman Arora, Advocate for the respondent.

By way of filing the present application under Section 24 CPC, applicant Kavita seeks transfer of divorce petition filed by her husband Ravinder against her having title 'Ravinder Vs. Kavita' pending in the Court of Additional District and Sessions Judge, Kurukshetra to the Court of competent jurisdiction at Sonapat.

Interalia in the application it is contended that on account of matrimonial discord with her husband Ravinder, the applicant had to leave the matrimonial home and start putting up with her parents at Sonapat. She is working as a nurse in a hospital there and is looking after two minor children of the parties who are studying in a school at Sonapat. Being a young woman of 35 years, employed at Sonapat, taking care of minor children of the parties, it is difficult for her to go from Sonapat to Kurukshetra covering a distance of 140 kms. It is further submitted that

respondent is appearing on two cases filed by the applicant in the Courts at Sonapat, as such the present application be accepted.

The respondent through counnsel is contesting the application for transfer of divorce petition to Sonapat though submitting that it may be transferred to any place near to Sonapat. The reason given is apprehension of physical harm to the respondent on account of strained relations between them and criminal litigation pending between the parties.

Notice of the application was given to the respondent, who has put in appearance through counsel.

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 The petition in question is ordered to be withdrawn from the Court of Additional District and Sessions Judge, Kurukshetra and transferred to the Court of District Judge, Sonapat for disposal in accordance with law. Learned District Judge, Sonapat may retain the petition on his board or assign it to any other Court of competent jurisdiction.

The Senior Superintendent of Police, Sonapat is directed to ensure that no physical harm is caused to the respondent or to his family members or persons accompanying him when he/they go to Sonapat to attend the dates of hearing.

The parties through their counsel are directed to appear in the transferee Court on 22.1.2019. Copies of orders be sent to the Court of Additional District and Sessions Judge, Kurukshetra as well as to the Court

of District Judge, Sonapat and to Senior Superintendent of Police, Sonapat
for information and necessary compliance.

(H.S. MADAAN)
JUDGE

December 17, 2018
p.singh

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No