

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

TA No. 572 of 2018(O&M)

Date of decision:30.10.2018

Annu

.. Petitioner

vs.

Arun Kumar

.. Respondent

Coram: Hon'ble Mr. Justice Harinder Singh Sidhu

Present:- Mr. Lalit Kumar Sharma, Advocate for
Mr. Sunil Kumar Sharma, Advocate
for the petitioner.

None for the respondent.

Harinder Singh Sidhu, J.

The petitioner-wife has filed the present petition under Section 24 of the Code of Civil Procedure for transfer of petition under Section 13 of the Hindu Marriage Act,1955 titled as 'Arun Kumar vs. Annu', filed by the respondent, which is pending in the Court of learned District Judge, Sonapat to a Court of competent jurisdiction at Jhajjar.

The marriage between the petitioner and the respondent was solemnized on 15.03.2015. There is no child from this marriage.

It is the case of the petitioner that soon after the marriage, the respondent and his family members started harassing her on account of dowry. When the father of the petitioner superannuated on 30.05.2015, the respondent and his family members started to beat the petitioner and asked her to bring swift car from the accumulated earnings of her father. The petitioner has been repeatedly beaten up by the respondent and his family members. The petitioner ultimately left the matrimonial home on 13.09.2015 and since then she is residing with her parents at village Kahadi,

Tehsil and District Jhajjar.

She has filed three cases i.e. (i) a criminal case bearing FIR No. 51 dated 3.6.2016, under Sections 498-A and 506 IPC, registered at Women Police Station Jhajjar, Haryana, (ii) a petition under Section 125 of the Code of Criminal Procedure at Jhajjar, which is pending before learned Judicial Magistrate Ist Class, Jhajjar and (iii) an application under Section 12 of the Protection of Women from Domestic Violence Act, 2005 in the month of October, 2016, which is also pending before learned Judicial Magistrate Ist Class, Jhajjar. The respondent, thereafter, filed a petition under Section 13 of the Hindu Marriage Act at Sonipat, which is at a distance of 60 KMs from Jhajjar.

The petitioner has no source of income and is wholly dependent upon her father, who is old. In these circumstances, it is difficult for the petitioner to attend the Court proceedings at Sonipat. It is further case of the petitioner that the respondent would not face any difficulty if the case is transferred to Jhajjar from Sonipat as he is already appearing in three cases at Jhajjar.

Despite service no one has put in appearance on behalf of the respondent on 11.09.2018. Today also no one has appeared for the respondent.

Considering the facts and circumstances of the case, the transfer application is allowed. The petition under Section 13 of the Hindu Marriage Act, 1955 titled as 'Arun Kumar vs. Annu', filed by the respondent, which is pending in the Court of learned District Judge, Sonipat is withdrawn from the said Court and transferred to Jhajjar. The

District Judge Jhajjar may assign it to any competent Court.

30.10.2018
dinesh

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned	Yes
Whether Reportable:	Yes/No