

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

T.A. No. 574 of 2018

DATE OF DECISION :- December 17, 2018

Surbhi Mittal

...Applicant

Versus

Parvesh Mittal

...Respondent

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

Present:- Mr. Rajbir Singh, Advocate for the applicant.

By way of filing the instant application, applicant Surbhi Mittal, aged about 28 years, estranged wife of respondent Parvesh Mittal, presently residing with her parents at Rupnagar on account of differences with the respondent, seeks transfer of petition under Section 9 of the Hindu Marriage Act, 1955 filed by her husband Parvesh Mittal against her having title 'Parvesh Mittal Vs. Surbhi Mittal', pending in the Court of Additional Civil Judge (Sr. Division-I), Ferozepur to the Court of competent jurisdiction at Rupnagar.

Interalia in the application it is contended that applicant is a young woman of 28 years, taking care of minor daughter of the parties, aged about 2½ years, having no source of income, it is difficult for her to travel from Rupnagar to Ferozepur, covering a distance of 210 kms on one side, as such the application be accepted. Further a petition under Section 125

Cr.P.C. filed by the present applicant against her husband Parvesh Mittal is pending in the Court at Rupnagar.

Notice of the application was given to the respondent, who was 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 The petition in question is ordered to be withdrawn from the Court of Additional Civil Judge (Sr. Division-I), Ferozepur and transferred to the Court of Civil Judge (Sr. Divn.), Rupnagar for disposal in accordance with law. Learned Civil Judge (Sr. Divn.), Rupnagar 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 22.1.2019. Copies of orders be sent to the Court of Additional Civil Judge (Sr. Division-I), Ferozepur as well as to the Court of Civil Judge (Sr. Divn.), Rupnagar for information and necessary compliance.

(H.S. MADAAN)
JUDGE

December 17, 2018
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No