

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

T.A. No. 589 of 2018

DATE OF DECISION :- December 20, 2018

Sonia

...Applicant

Versus

Suresh

...Respondent

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

Present:- Mr. N.D. Achint, Advocate for the applicant.

Applicant Sonia, wife of respondent Suresh, presently residing with her parents at Karnal seeks transfer of divorce petition filed by her husband Suresh against her having title 'Suresh Vs. Sonia' pending in the Court of Principal District Judge (Family Court) Gurguram to the Court of competent jurisdiction at Karnal.

According to the applicant, after her marriage with the respondent on 25.2.2011, the spouses started residing together. The marriage was consummated, however, respondent and his family members treated the applicant with cruelty raising demand of gold jewellery including Alto car. The applicant had to leave the matrimonial home and start residing with the parents at Karnal. She has lodged F.I.R. No. 0067 dated 14.6.2016 for offences under Sections 323, 34, 354, 406, 498-A, 506 IPC against her husband with Police Station Women, District Karnal. She has filed a maintenance petition also. Three cases are pending between the

parties in the Courts at Karnal. Respondent has filed the divorce petition against the applicant as a pressure tactic. She being a young woman of 39 years having no source of income, it is difficult for her to travel from Karnal to Gurugram covering a distance of 180 kms on one side spending money on travelling expenses, as such the application be accepted.

Notice of the application was given to the respondent. As per office report, he has been duly served through his sister-in-law i.e. Bhabhi but he 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 The petition in question is ordered to be withdrawn from the Court of Principal District Judge (Family Court) Gurguram and transferred to the Court of District Judge, Karnal for disposal in accordance with law. Learned District Judge, Karnal 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 25.1.2019. Copies of orders be sent to the Court of Principal District Judge (Family Court) Gurguram as well as to the Court of District Judge, Karnal for information and necessary compliance.

(H.S. MADAAN)
JUDGE

December 20, 2018

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No