

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

TA No.687 of 2018

Date of decision: 09.10.2018

Jyoti Verma

.. Petitioner

vs.

Deepak Verma

.. Respondent

Coram: Hon'ble Mr. Justice Harinder Singh Sidhu

Present:- Mr. Deepak Thapar, Advocate
for the petitioner.

None for the respondent.

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Harinder Singh Sidhu, J.

The petitioner-wife has filed this petition under Section 24 of the Code of Civil Procedure for transferring the petition under Section 9 of the Hindu Marriage Act, 1955 Case No.DME 1492/2018 titled as “Deepak Verma Vs. Jyoti Verma”, filed by the respondent-husband, which is pending in the Court of Ld. District Judge, (Family Court), Sonapat, to a Court of competent jurisdiction at Rohtak.

The marriage of the petitioner was solemnized with the respondent on 16.04.2012. A female child namely Janvi aged about 4 years and a male child namely Mukesh aged about 1 ½ years were born to them. It is stated that the petitioner was maltreated by the respondent and his family members from the very beginning of the marriage. The petitioner was repeatedly beaten up by the respondent. The respondent even apologized in writing on 07.06.2014 and on 27.06.2014 brought back the petitioner along with minor children with a promise to keep them properly. Despite that the cruelty inflicted on the petitioner increased day by day. On 25.08.2017, the respondent after beating up the petitioner turned her out from the matrimonial home along with the children. Since then the

petitioner along with her minor children is residing with her widowed mother at Rohtak.

The petitioner has filed a petition under Section 125 Cr.P.C., which is pending at Rohtak. A complaint under the Protection of Women from Domestic Violence Act, 2005 has also been filed by the petitioner at Rohtak. Thereafter, the respondent has filed the petition under Section 9 of the Hindu Marriage Act, 1955.

The petitioner has no independent source of income. It is difficult for her to attend the court proceedings at Sonapat.

The respondent has been served. However, no one appeared on his behalf.

Considering the aforesaid facts and circumstances, this petition is allowed.

The petition under Section 9 of the Hindu Marriage Act, 1955 Case No.DME 1492/2018 titled as “Deepak Verma Vs. Jyoti Verma”, filed by the respondent-husband, which is pending in the Court of Ld. District Judge, (Family Court), Sonapat is withdrawn from that Court and transferred to Rohtak. The District Judge, Rohtak may assign it to any competent Court.

09.10.2018
Atul

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No