

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

T.A. No. 711 of 2018 (O&M)

Date of decision : 6.12.2018

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Parveen Kumari @ Megha

.....Applicant

vs.

Kuldeep Saini

.....Respondent

Coram: Hon'ble Mr. Justice H. S. Madaan

Present: Mr. R.K. Verma, Advocate
for the applicant.

Mr. Kamaldeep Mehta, Advocate
for the respondent.

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H. S. Madaan, J. (Oral)

This application for transfer of divorce petition titled as 'Kuldeep Saini vs. Parveen Kumari', pending in the Court of Sh. Mr. Jaibir Singh, District Judge, Additional Family Court, Hisar, to a court of competent jurisdiction at Narnaul, District Mahendergarh, has been filed by applicant Parveen Kumari @ Megha, presently residing with her parents at Narnaul, District Mahendergarh. The ground taken in the application is that there is a distance of about 170 kms between the two places and the applicant being a poor lady, having no source of income, it is difficult for her to travel to such a distance to attend the dates of hearing in the Court at Hisar. Furthermore, a case under the Domestic Violence Act, filed by her against her husband Kuldeep Saini – respondent, is already pending in the Court at Narnaul.

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

I have heard the submissions made by learned counsel for the parties.

Learned counsel for the applicant has reiterated the grounds taken in the application, while submitting that the application be accepted. Whereas learned counsel for the respondent has opposed the request stating that the applicant is an educated lady and it hardly takes two hours to cover the distance between the two places. Therefore, the application be declined.

After hearing the learned counsel and going through the record, I find that the application has got merit and deserves to be accepted. Therefore, the same is allowed. Petition in question pending in the court of District Judge, Additional Family Court, Hisar, is withdrawn from that Court and transferred to the Court of District Judge, Narnaul, who may retain the case on his Board or assign it to any other Court of competent jurisdiction at that place. Parties through counsel are directed to appear there on 15.1.2019.

A copy of the order be sent to the Courts concerned, for information and necessary compliance.

6.12.2018
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(H.S. Madaan)
Judge

Whether speaking / reasoned
Whether reportable

Yes/ No
Yes/ No