

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

T.A. No. 730 of 2018 (O&M)

Date of decision : 11.12.2018

...

Sarita

.....Applicant

vs.

Mukesh Kumar

.....Respondent

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

Present: Mr. Sandeep Kotla, Advocate for the applicant.

...

H. S. Madaan, J. (Oral)

By way of filing the present application under Section 24 of CPC, applicant Sarita, estranged wife of Mukesh Kumar – respondent, presently residing with her parents at Hisar, seeks transfer of petition under Section 12 of the Hindu Marriage Act, filed by her husband Mukesh Kumar, who is respondent in the present application, having title 'Mukesh Kumar vs. Sarita', pending in the Court of Additional District Judge, Family Court, Gurugram, to a court of competent jurisdiction, at Hisar. According to the applicant, she is a young woman of 31 years, having no source of income. It is difficult for her to travel from Hisar to Gurugram, to attend the dates of hearing in the Court at Gurugram, covering a distance of 200 kms on one side, incurring travelling expenses. Furthermore, two cases between the parties are pending in Court at Hisar. Therefore, the application be accepted.

Notice of the application was given to the respondent.

As per the office report, notice has been served upon the respondent through his counsel in the trial Court, but he has not opted to put in appearance.

I have heard the submissions made by learned counsel for the applicant, besides going through the record.

Keeping in view the contentions made in the application and submissions made by learned counsel for the applicant, 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 Petition in question pending in the court of Additional District Judge, Family Court, Gurugram, is withdrawn from that Court and transferred to the Court of District Judge, Family Court, Hisar. Parties through counsel are directed to appear there on 17.1.2019.

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

11.12.2018
chugh

(H.S. Madaan)
Judge

Whether speaking / reasoned	Yes / No
Whether reportable	Yes / No