

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

TA No.758 of 2018
Date of decision: 13.11.2018

Annu @ Anu .. Petitioner

vs.

Sonu Mittal .. Respondent

Coram: Hon'ble Mr. Justice Harinder Singh Sidhu

Present:- Mr. Ashit Malik, 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 13 of the Hindu Marriage Act, 1955 titled as “Sonu Mittal Vs. Annu”, filed by the respondent-husband, which is pending in the Court of Ld. Principal District Judge (Family Court), Hisar to a Court of competent jurisdiction at Kaithal.

The marriage of the petitioner was solemnized with the respondent on 17.06.2014. A daughter namely, Pahi was born to them on 04.06.2017.

It is stated that after birth of the minor child, the respondent and his family members started torturing the petitioner for bringing more dowry. The petitioner was finally turned out of the matrimonial home on 28.12.2017. Thereafter, the petitioner is residing with her parents at Kaithal along with her minor daughter aged about 1 year.

It is stated that the petitioner has not filed any petition for maintenance or any complaint was lodged against the respondent only with a view to save her matrimonial life.

The respondent has filed the petition under Section 13 of the Hindu Marriage Act, 1955 at Hisar.

The petitioner has no independent source of income. She is wholly dependent upon her parents. It is difficult for the petitioner to attend the Court proceedings at Hisar as there is no one in the family who can look after her minor daughter.

The respondent has been served. However, no one has put in appearance on his behalf. On the previous date i.e. 28.09.2018, also no one appeared on his behalf.

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

The petition under Section 13 of the Hindu Marriage Act, 1955 titled as "Sonu Mittal Vs. Annu", filed by the respondent-husband, which is pending in the Court of Ld. Principal District Judge (Family Court), Hisar is withdrawn from that Court and transferred to Kaithal. The District Judge, Kaithal may assign it to any competent Court.

13.11.2018
Atul

(Harinder Singh Sidhu)
Judge

Whether speaking/reasoned	Yes/No
Whether Reportable:	Yes/No