

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

T.A. No. 766 of 2018 (O&M)

Date of decision : 11.12.2018

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Sonia Gopera

.....Applicant

vs.

Vikram Kumar

.....Respondent

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

Present: Mr. Saurabh Garg, Advocate for the applicant.

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H. S. Madaan, J. (Oral)

By way of filing the present application under Section 24 of CPC, applicant Sonia Gopera aged about 30 years, seeks transfer of divorce petition, filed by her husband Vikram Kumar, who is respondent in the present application, having title 'Vikram Kumar vs. Sonia Gopera', pending in the Court of Additional District Judge, Jind, to a court of competent jurisdiction, at Kaithal. According to the applicant, after the marriage was performed between the parties on 5.3.2010, they started residing together; the marriage was consummated and applicant gave birth to a female child, namely Saanvi, from the lions of respondent on 20.3.2015. On account of matrimonial discord between the spouses, the applicant alongwith her minor daughter had to leave the matrimonial home and start residing with her parents at Kaithal. Her husband Vikram Kumar, working as a teacher in Kendriya Vidyalaya posted at Chandigarh. However, just

to harass the applicant, he has filed the divorce petition in the Court at Jind. The applicant being a young woman of 30 years, having custody of the minor daughter of the parties, it is difficult for her to go to Jind from Kaithal, covering a distance of 60 kms on one side to attend the dates of hearing there. Further more she is not having any source of income at present. 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 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 Petition in question pending in the court of Additional District Judge, Jind, is withdrawn from that Court and transferred to the Court of District Judge, Kaithal, who may retain the case on his Board or assign it to any other Court of competent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 17.1.2019.

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

11.12.2018
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(H.S. Madaan)
Judge

Whether speaking / reasoned
Whether reportable

Yes / No
Yes / No