

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

116

TA No. 846 of 2018

Date of decision: 21.11.2018

Seema Rani

..Petitioner

Vs.

Sandeep

..Respondent

CORAM:HON'BLE MR. JUSTICE AJAY TEWARI

Present: Ms. Gehna Vaishnavi, Advocate
for the petitioner.

AJAY TEWARI, J.(ORAL)

This application has been filed by the petitioner-wife for transferring the petition under Section 9 of the Hindu Marriage Act, 1955 filed by the respondent-husband titled as "Sandeep Vs. Seema Rani", pending in the Court of Additional District Judge/Family Court, Sonapat to any other competent jurisdiction at Jhajjar.

Mr. Dalbir Singh, Advocate puts in appearance on behalf of the respondent and filed his Vakalatnama in the Court today and same is taken on record.

The ground taken in the instant transfer petition is that the applicant has no source of income and has two minor children and it is very difficult for her to travel to Sonapat from Jhajjar.

Counsel for the respondent-husband points out that the respondent is working as a Peon at DC rates and he is already facing different proceedings at Jhajjar and every time he has to

move without pay to attend the proceedings.

In my opinion on the comparative hardship test, the case of the applicant is on stronger side. Consequently this Court deems it appropriate to withdraw the petition under Section 9 of the Hindu Marriage Act filed by the respondent-husband at Sonapat and transfer it to the Court of District & Sessions Judge, Jhajjar, who shall decide the case himself or make it over to any other competent Court.

Parties through their counsel are directed to appear before the District Judge/Family Court Jhajjar on 27.12.2018. As regards the argument that the respondent has to appear on different dates and has to take leave without pay, liberty is granted to the respondent-husband to move application/s before the Court/s to fix the same date in all the cases in which the respondent-husband has to appear.

The application stands disposed of.

November 21, 2018

Poonam (II)

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned: *Yes/No*

Whether reportable: *Yes/No*