

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

T.A. No. 937 of 2018

DATE OF DECISION :- December 17, 2018

Madhu

...Applicant

Versus

Aman

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. S.K. Verma, Advocate for the applicant.

Applicant Madhu has filed the instant application seeking transfer of divorce petition filed by her husband Aman against her having title 'Aman Vs. Madhu' pending in the Court of learned District Judge (Family Court) Bhiwani to the Court of competent jurisdiction at Rohtak.

Interalia in the application it is contended that after her marriage with Aman, both the spouses started residing together. The marriage was consummated and she gave birth to a female child from loins of respondent. On account of cruel behaviour of the respondent and his family members, the applicant along with minor daughter of the parties, had to leave the matrimonial home and start residing with her parents at Meham, District Rohtak. Now her husband has filed a divorce petition against her, which is pending in the Court of District Judge (Family Court) Bhiwani. She being a young woman, having no source of income, taking care of minor daughter of the parties, it is difficult for her to travel from Rohtak to Bhiwani, covering a distance of about 60 kms on one side so as to attend the dates of hearing there, as such the application be accepted.

Notice of the application was given to the respondent. As per office report, respondent has been duly served but has not opted to appear and offer a contest.

I have heard learned counsel for the applicant besides going through the record.

I am of view that the application calls for acceptance, the same is accordingly allowed. The petition in question is ordered to be withdrawn from the Court of District Judge (Family Court) Bhiwani and transferred to the Court of District Judge, Rohtak for disposal in accordance with law. Learned District Judge, Rohtak may retain the petition on his board or assign it to any other Court of competent jurisdiction.

The parties through their counsel are directed to appear in the transferee Court on 22.1.2019. Copies of orders be sent to the Court of District Judge (Family Court) Bhiwani as well as to the Court of District Judge, Rohtak for information and necessary compliance.

(H.S. MADAAN)
JUDGE

December 17, 2018

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No