

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

T.A. No. 964 of 2018 (O&M)

Date of decision : 11.12.2018

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Jagriti

.....Applicant

vs.

Parveen Kumar

.....Respondent

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

Present: Mr. Vikram Sheoran, Advocate for
Mr. Balkar Singh, 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 Jagriti, aged about 24 years, seeks transfer of petition under Sections 11/12 of the Hindu Marriage Act, filed by her husband Parveen Kumar, who is respondent in the present application, having title 'Parveen Kumar vs. Jagriti', pending in the Court of District Judge (Family Court), Sonapat, to a court of competent jurisdiction, at Karnal. According to the applicant, she was married to the respondent on 26.12.2016. However the spouses could not pull on together and applicant was thrown out of the matrimonial home and she had to fall back upon her parents having residence at Karnal. The parental family of the applicant is quite poor, since her father is working as a labourer and mother is paralyzed due to accident. There is no one in the family to support her. The applicant is not working anywhere and is not having any source of income. It is

difficult for her to travel from Karnal to Sonapat covering a distance of 110 kms, on one side. In addition to that she has got financial constraints and it is difficult for her to meet the travelling expenses and further the proceedings may go on for years together. 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 Petition in question pending in the court of District Judge, Family Court, Sonapat, is withdrawn from that Court and transferred to the Court of District Judge, Karnal, who may retain the case on his Board or assign it to any other Court of competent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