

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

TA No. 989 of 2018 (O&M)

Date of decision : 18.12.2018

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Sumedha Kataria

.....Applicant

vs.

Rohit Kataria

.....Respondent

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

Present: Mr. Sharad Mehra, Advocate for the applicant.

None for the respondent.

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H. S. Madaan, J. (Oral)

Applicant – Sumedha Kataria, aged about 33 years, estranged wife of Rohit Kataria, has filed the instant application under Section 24 CPC, seeking transfer of petition under Section 9 of the Hindu Marriage Act, filed by her husband, who is respondent in the present application, against her, having title 'Rohit Kataria vs. Sumedha Kataria' pending in the Court of District Judge, Faridabad, to a Court of competent jurisdiction at Karnal.

As per averments made in the application, marriage between the parties did not work and she had to leave the matrimonial home and start residing with her parents at Karnal. Her husband has filed the petition in question in the Court of District Judge, Faridabad. She being a young woman of 33 years, having no source of income, it is difficult for her to travel from Karnal to Faridabad, covering a

distance of 170 kms on one side and meeting traveling expenses also, to attend the dates of hearing there. Therefore, the application be accepted.

Notice of the application was given to the respondent, who as per the office report, has been served through his father, but he has not appeared to offer contest.

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

Keeping in view the contentions in the application and submissions made by learned counsel for the applicant, I find that ends of justice demand that the application be allowed.

Accordingly, the application is accepted. The petition in question pending in the court of District Judge, Faridabad, is withdrawn from that Court and transferred to the Court of District Judge, Karnal, who may retain the case on his Board or assign it to any other Court of competent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 for disposal in accordance with law. Parties through counsel are directed to appear there on 23.1.2019.

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

18.12.2018
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(H.S. Madaan)
Judge

Whether speaking / reasoned

Yes / No

Whether reportable

Yes / No