

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

TA-11-2019 (O&M)

Date of decision: 17.07.2019

Neeru Bala

...Applicant

Versus

Bharat Bhushan and another

...Respondents

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

Present: Ms. Kamlesh, Advocate for
Mr. Parminder Singh, Advocate for the applicant.

Mr. Sandeep Berwal, Advocate for respondent No.1.

H.S. MADAAN, J. (Oral)

Applicant Neeru Bala, aged about 39 years, presently residing at Nilokheri, District Karnal, on account of having matrimonial differences with her husband Bharat Bhushan-respondent No.1, by way of moving the present application, seeks transfer of divorce petition, filed by her husband, respondent No.1 against her having title 'Bharat Bhushan Vs. Neeru Bala and another' pending in the Court of Addl. District Judge, Kaithal to the Court of competent jurisdiction at Karnal.

According to the applicant, the marriage solemnized between her and respondent No.1 did not work. The couple was blessed with two children i.e. a boy Master Kavish and a daughter Baby Pragati. She was treated with cruelty by her husband and resultantly, she had to leave the matrimonial home. The applicant has filed a petition under Section 9 of the Hindu Marriage Act against the respondent, whereas, the respondent

has filed the petition in question against her. Being a young woman, it is difficult for the applicant to travel from Nilokheri to Kaithal to attend the dates of hearing in the Court there, covering a distance of about 65 kms on one side. Therefore, the present application be accepted.

Notice of the application was given to the respondents. Respondent No.1 has put in appearance through counsel and is vehemently opposing the application, praying for its dismissal.

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

Admittedly, both the children of the parties are residing with the respondent, who is taking care of them and bringing them up. A perusal of the copy of divorce petition goes to show that there are serious allegations regarding moral character of applicant and in para No.9, it is alleged that in the year 2009, she was caught red handed with one Yashpal son of Ved Parkash, resident of Arjun Nagar Kaithal, Tehsil & District Kaithal in a compromising condition. Subsequently, she was caught with respondent No.2 Sunny Pasreeja under suspicious circumstances. It being so, no ground is made out to allow the application. The same stands dismissed.

17.07.2019

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(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No