

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

TA-20-2019 (O&M)

Date of decision: 05.12.2019

Monika

...Applicant

Versus

Gagandeep Chauhan

...Respondent

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

Present: Mr. Jasmer Singh, Advocate for
Mr. Amit Arora, Advocate for the applicant.

H.S. MADAAN, J. (Oral)

Applicant Monika, aged about 29 years, estranged wife of respondent Gagandeep Chauhan, presently residing with her parents at Bhiwani, on account of matrimonial discord between the spouses, by way of filing the present application, seeks transfer of divorce petition, filed by her husband, the respondent against her having title 'Gagandeep Chauhan Vs. Monika' pending in the Court of District Judge, Narnaul at Mahendargarh to the Court of competent jurisdiction at Bhiwani.

According to the applicant, the marriage solemnized between the spouses on 06.12.2013 did not work. The couple was not blessed with any child. On account of harassment and maltreatment meted out to the applicant at the hands of respondent and his family members in connection with demand of more dowry, the applicant was forced to leave the matrimonial home and start residing with her parents. The applicant does not have any source of income and is dependent upon her parents for meeting her financial needs. The applicant has filed a petition under

Section 125 Cr.P.C. against the respondent in Court at Bhiwani. The respondent has filed the petition in question against the applicant just to harass her. The applicant being a young woman, having no source of income, it is difficult for her to travel from her parental place to Narnaul, to attend the dates of hearing in the Court there, covering a distance of about 100 kms on one side. Therefore, the present application be accepted.

Notice of the application was given to the respondent who was duly served and had put in appearance through counsel. Subsequently, the counsel stopped appearing in the Court on his behalf.

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, in which I find merit, in absence of any strong circumstance to the contrary, it would be proper and appropriate, if the application is accepted. The same is accordingly allowed. The petition in question is ordered to be withdrawn from the Court of District Judge, Narnaul at Mahendargarh and transferred to Family Court at Bhiwani for disposal in accordance with law.

The parties are directed to appear in the transferee Court on 09.01.2020. Copies of orders be sent to both the Courts for information and necessary compliance.

05.12.2019

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(H.S. MADAAN)
JUDGE

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